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REGULAR MEETING OF THE PERRY CITY COUNCIL

March 5, 2019

6:00 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer.
2. Roll.
3. Invocation and Pledge of Allegiance to the Flag: Mayor James E. Faircloth, Jr.
4. Community Partner(s) Update(s):
5. Citizens with Input.
6. Public Hearing: Mayor James E. Faircloth, Jr.

The purpose of this Public Hearing is to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-67A-3 (c).

- 6a. Special Exception -0001-2019. Applicant, Integrity Development Partners, LLC request a special exception to allow a 72-unit Multi-Family Development. The property is located at 1820 Macon Road; Tax Map No.: 0Po400 015000 – Mr. B. Wood. **(Applicant requests a deferral to April 2, 2019 meeting.)**
7. Review of Minutes: Mayor James E. Faircloth, Jr.
 - 7a. Council's Consideration – Minutes of the February 19, 2019 pre council meeting and February 19, 2019 council meeting. **(Council Member King was absent from February 19, 2019 meetings.)**
8. Old Business:
 - 8a. Mayor James E. Faircloth, Jr.
 - 8b. Council Members
 - 8c. City Manager Lee Gilmour
 - 8d. Assistant City Manager Robert Smith
 - 8e. City Attorney
9. New Business: Mayor James E. Faircloth, Jr.
 - 9a. Matters referred from March 4, 2019 work session and March 5, 2019 pre council meeting.

- 9b. Special Exception Application -0001-2019 – Mr. B. Wood.
- 9c. Approval of lighting easement – Mr. L. Gilmour.
- 9d. Resolution(s) for Consideration and Adoption:
 - 1. Resolution authorizing the execution of an intergovernmental contract between the City of Perry and the Perry Public Facilities Authority relating to the issuance of the Series 2019 Bonds – Ms. B. King.
 - 2. Resolution opposing House Bill 302, Preemption of Local Building Design Standards – Mr. R. Smith.
- 9e. Approval of a mutual aid agreement between the City and the Houston County Board of Commissioners – Chief L. Parker.
- 10. Council Members Items:
- 11. Department Heads/Staff Items.
- 12. General Public Items:
- 13. Mayor Items:
- 14. Adjourn.



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STAFF REPORT

From the Department of Community Development
February 6, 2019

CASE NUMBER: SUSE-0001-2019
APPLICANT: Integrity Development Partners, LLC (Steve Brooks, CFO)
REQUEST: A Special Exception to allow a 72-unit Multi-Family Development
LOCATION: 1820 Macon Road; Tax Map No. 0P0400 015000
ADJACENT ZONING/LAND USES:

Subject Parcel: C-2, General Commercial District (undeveloped)
North: C-2 (office) and R-1 (single-family residences)
South: C-2(vacant); R-3 (multi-family residences); and R-1 (single-family residence)
East: R-1 (single-family residences)
West: R-3 (single-family residences, two-family residences, and day care)

REQUEST ANALYSIS: The applicant proposes to develop a 72-unit multi-family development on 9.08 acres of an undeveloped 10.28 acre parcel fronting Macon Road (US Hwy 41), resulting in an overall density of about 8 dwelling units per acre (7.93). The remaining 1.2 acres of the site is proposed for "future development". The parcel is zoned C-2, General Commercial District, which permits uses such as single-family residential, office, retail, institutional, vehicle sales and services, and visitor accommodations by right. Multi-family residential development may be allowed only by special exception in the C-2 district, among others.

The proposed site plan orients three 2-story buildings and one 3-story building around a common green space, in which a community building, playground and pavilion are proposed. Along property boundaries adjacent to existing single-family residences, the applicant proposes building setbacks and buffers exceeding those required by City Code. Along the eastern property line there is a 150' building setback in which a 50' natural/planted buffer and 6' tall privacy fence is proposed. Along the northern property line there is a 85' building setback in which a 50' natural/planted buffer and 6' tall privacy fence is proposed. Adjacent to the existing apartments and commercially-zoned property to the south, a 30' building setback and 6' tall privacy fence is proposed. A 5' tall ornamental aluminum picket fence with brick columns will enclose the property along Macon Road. Buildings located near single-family residences are 2-stories in height; the one 3-story building is located adjacent to commercially-zoned property closer to Macon Road.

A single curb-cut, with deceleration lane is proposed on Macon Road. Final access design is subject to Georgia Department of Transportation approval. The access point is not proposed to be gated. Access to the "Future Development" site is anticipated to be provided through the single access point to the overall property. 149 on-site parking spaces (or 2.1 spaces per dwelling unit) are proposed, exceeding the minimum requirement.

Using the natural topography of the property, a large area of the rear setback is intended to be used for stormwater management, but will not encroach on the proposed 50' natural/planted buffer. Specific design and review of the stormwater management facility will be conducted during Site Plan Permit/Land Disturbance Permit review process. City codes require additional stormwater created by the development to be detained on site.

STANDARDS FOR SPECIAL EXCEPTIONS:

1. *Does the Special Exception follow the existing land use pattern?* The proposed multi-family development is consistent with the existing land use pattern in the area. Along the 1.27 mile stretch of the Macon Road corridor between Perimeter Road and Perry Parkway there exists 8 single-family subdivisions, 4 multi-family developments, 1 duplex development, 1 assisted living facility, 1 religious institution, 9 commercial properties of various uses, and 14 undeveloped properties.
2. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The Character Areas Map of the 2017 Joint Comprehensive Plan identifies the property and surrounding area as 'Suburban Residential', which is reflected by a pattern of subdivisions interspersed with duplexes and apartment complexes. Suggested development patterns for this character area type include "location of higher-density housing near commercial centers or along arterial roads."
3. *Will adequate fire and police protection be available?* The Perry fire and police departments can provide adequate protection to the proposed use. The layout of the proposed site plan allows for adequate access to all buildings and areas of the development.
4. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* The proposed development consists of three 2-story buildings located adjacent to existing single-family residences. One 3-story building is proposed adjacent to a vacant commercially-zoned parcel near the front of the property. Proposed building setbacks are increased 4X to 6X the minimum required setbacks adjacent to existing single-family residences. The proposed buffers adjacent to existing single-family residences are increased 2.5X the largest required buffer, plus the addition of a 6' tall privacy fence. The increased stormwater attributable to the development of the site must be detained on site as required by City regulations, which are consistent with requirements of the Georgia Environmental Protection Department. Specific design of the stormwater facilities will be evaluated during the permit review process.
5. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* Vehicular access to the proposed development will be by a single curb-cut onto a 2-lane US Highway. A right-turn deceleration lane is proposed to help maintain the free flow of north-bound traffic on Macon Road. All access and modifications to Macon Road will require approval from the Georgia Department of Transportation. A pedestrian connect from the development to the existing public sidewalk along Macon Road is proposed.

The City of Perry does not have a specific requirement for a Traffic Impact Analysis (TIA). However, when communities do require TIAs for proposed developments, certain thresholds are normally established. One such threshold commonly used is for a development that will generate 100 trips during a certain peak hour. The International Transportation Engineers' *Trip Generation Manual* is normally used to make this determination. Given these data, 100 pm peak hour trips are generated by a mid-rise apartment development with 233 dwelling units. Using simple extrapolation, the proposed 72-unit development will generate about 31 pm peak hour trips.

Because the proposed development accesses a major arterial road, it is not likely that traffic from the development will need to use nearby residential streets to access typical shopping and service facilities in the community.

6. *Will the use result in an increase in population density overtaxing public facilities?* Water and sanitary sewer capacity adjacent to the subject property is adequate to service the proposed development. The City notified the Houston County Board of Education of the proposed development. No response has been received as of the date of this report.
7. *Will the use create a health hazard or public nuisance?* There is no evidence that the proposed development will inherently create a health hazard or public nuisance. The development is subject to compliance with all state and local laws regulating such issues, as are all developments in the City.

8. *Will property values in adjacent areas be adversely affected?* The City has no evidence that multi-family developments negatively impact the value of adjacent properties.
9. *Are there substantial reasons a permitted use cannot be used at this property?* The subject property has been zoned for commercial uses for as long as the City of Perry has had a zoning ordinance. Until August 2018 the current C-2 zoning classification permitted multi-family residential development with a maximum density of 17 to 21 units per acre, based on 2- and 3-story buildings. Throughout this period of time the property has remained undeveloped. This would appear to indicate there has not been a market for any uses permitted in the district.

STAFF RECOMMENDATION: Based on evaluation of this application relative to the criteria established by Ordinance for the consideration of a special exception, Staff recommends approval of the special exception, with the following condition:

1. Development of a multi-family residential development on the subject property shall substantially comply with the information provided by the applicant in this application for special exception, including the site plan, dated January 2019.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends denial of the application based on noncompliance with standard # (5)(a) in Section 2-3.5(l) of the Land Management Ordinance. The proposed multi-family development will create additional traffic which will cause an inconvenience to the residents of Cheshire Place and will conflict with the normal traffic of the neighborhood by causing additional wait time for residents exiting the subdivision at the intersection of Inverness Drive and Macon Road (US Hwy 41).

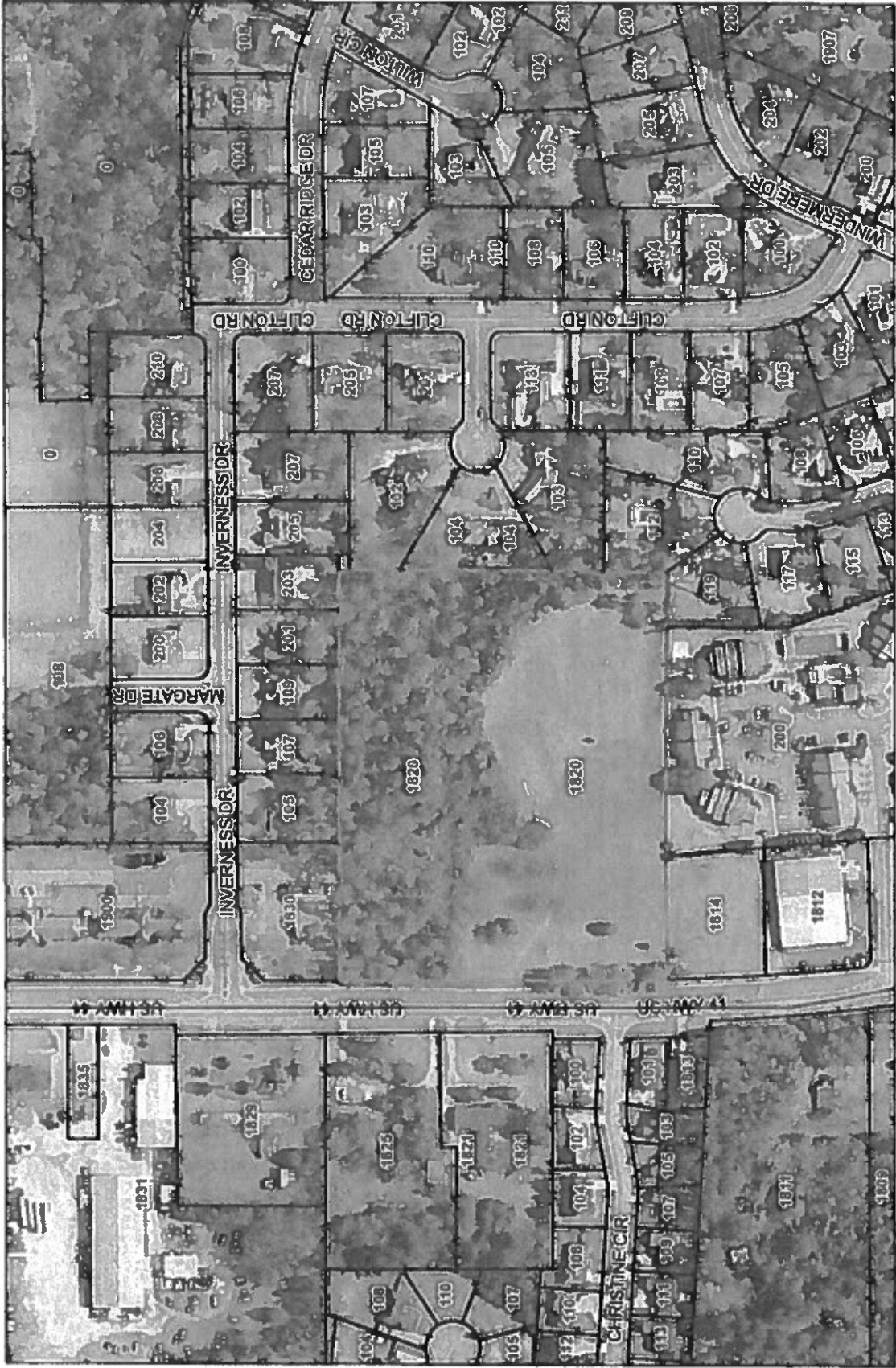
Referenced Section 2-3.5(l) of the Land Management Ordinance:

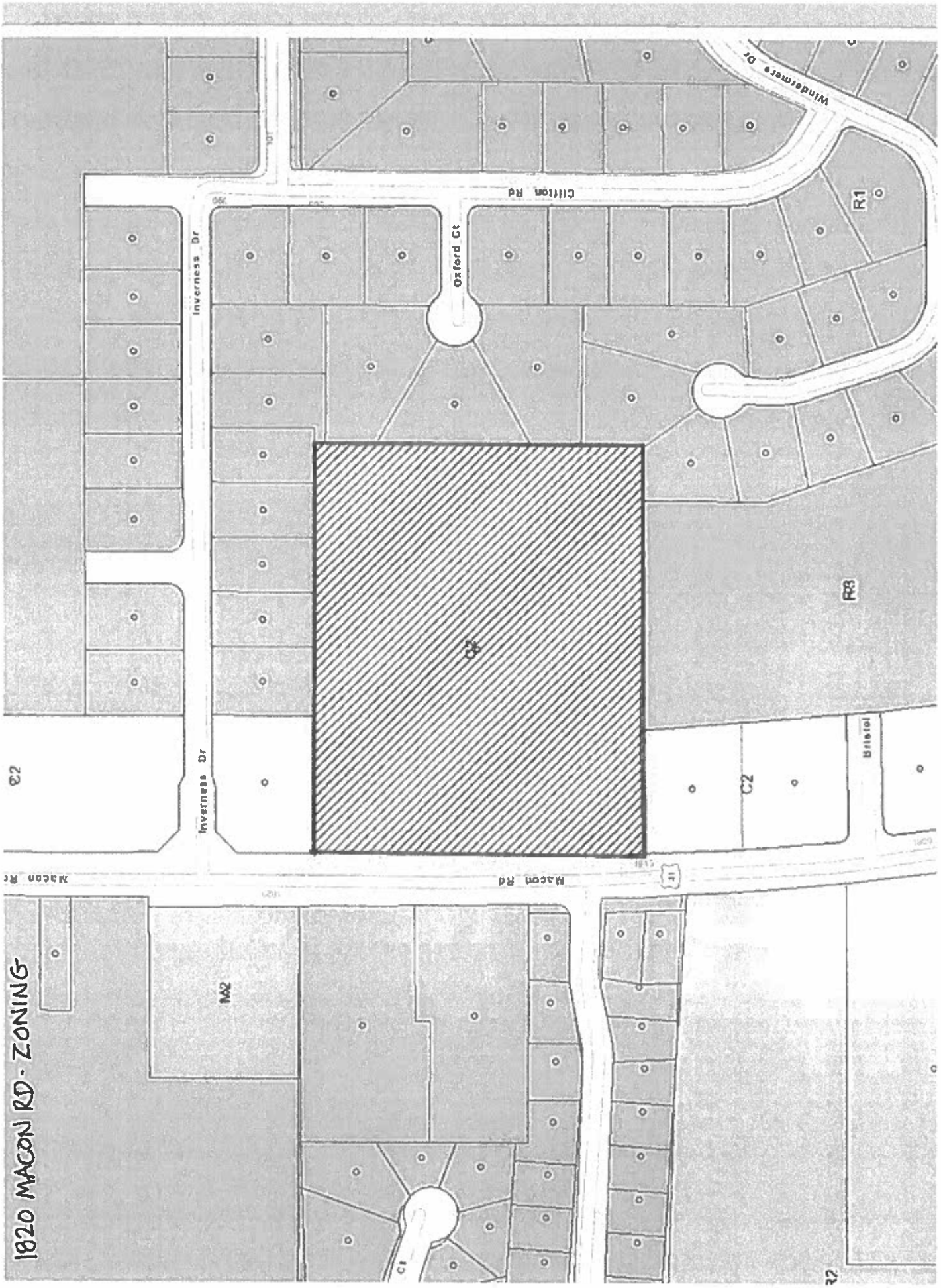
- (5) Whether, in the case of any use located in, or directly adjacent to, a residential district or area;
- (a) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood.


Eric Z. Edwards, Chairman, Planning Commission

2/22/19
Date

1820 Macon Road Aerial





1820 MACON RD - ZONING

Inverness Dr

Oxford Ct

Clifton Rd

Windermere Dr

R1

R2

C2

Bristol

Macon Rd

M2

C1

C2

Suburban Residential

The residential land use is by far the most prominent category of land use currently within Houston County, and the vast majority of these residences fall within the typical character of a suburban residential environment. Further, given projections of continued growth within the county, it is likely that these trends will continue. Residential land use is particularly predominant within the cities of Warner Robins and Centerville, as well as throughout many of the unincorporated areas between Warner Robins and Perry. Most of these residential areas are bounded by US-129, State Route 127, and the Perry city limits to the east and south respectively. The Echeconnee Creek forms a natural boundary for growth to the north, with the county line serving as a border for most growth to the west.

Most of the suburban residential character is reflected by a pattern of subdivisions, which generally contain only one, or a limited number of access points. Some duplexes and apartment complexes are interspersed within these areas, allowing for the maintenance of a high density; however, the residential areas of somewhat higher density are still very suburban in their character. These include complexes that normally have one access point, often gated, and which could not be differentiated from a subdivision by simply viewing the street patterns.

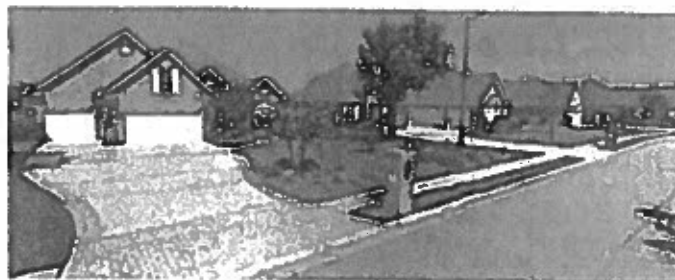


Figure 17 – An example of typical suburban residential patterns of development in Centerville. Note the similarity of building styles in each of these single-family homes and the relatively small acreage of each lot.

Future land use within these residential areas could be enhanced by retrofitting traditional neighborhood street layouts on top of the current subdivision grid. This should allow enhanced walkability and bikeability with the community at-large, while improving transportation with a greater variety of ingress and egress points. Another future development within the residential land use should be a greater variety of housing types. In general, there is a lack of housing diversity, particularly in terms of higher density and greater affordability. Even within the downtown areas, little multi-story housing is available, presenting a significant opportunity for new housing construction as a part of mixed-use developments. Finally, there is the potential for greater accessibility to neighborhood commercial retail destinations. The vast majority of commercial retail is clustered along major corridors, such as Watson Boulevard, Russell Parkway, and Georgia State Route 96. This requires frequent travel by automobile to reach these commercial corridors. Additional parks and recreational activities could also enhance the quality of life within these suburban areas, giving them a more traditional neighborhood feel.

Suggested Development Patterns:

- Location of higher-density housing near commercial centers, or along arterial roads.
- Street layouts that connect to the existing street network at many points.
- Facilities for bicycles, including bikeways and bike lanes.
- Accessory housing units that provide rental opportunities for small households.
- Distribution of affordably-priced homes throughout community.
- Retrofitting existing residential areas to improve pedestrian access to nearby commercial areas.

Suggested Land Use Designations:

- Residential
- Public/Institutional
- Parks/Recreation

Suggested Implementation Measures:

- Pocket parks.
- Analyze fiscal impacts of growth.
- Appropriate school siting for walkability.
- Septic system monitoring.
- Septic area development regulations.
- Bikeway plans.
- Trails and greenway networks.
- Sidewalk and pedestrian network design.
- Subdivision and land development code regulations.
- Retrofitting conventional suburban subdivisions.



Figure 18 – An example from Warner Robins where a grid pattern has been disrupted, leading to dead-end streets. Opening back connections such as this one and connecting cul-de-sacs to nearby roads could greatly enhance walkability and bikeability.

Traditional Neighborhood

There are a handful of traditional neighborhoods that can still be found within Houston County—almost exclusively around the City of Perry. These neighborhoods are distinguished by the presence of Inter-connected and varied street patterns, combined with houses near one another, in environments that are traffic-controlled to preserve walkability and bikeability. They are also coupled with small parks, institutional uses, and ready access by foot or bike to an adjacent town center.

These neighborhoods are not without their challenges, particularly in terms of preserving high-quality housing. Traditional neighborhoods by definition are more likely to include homes which are older and more prone to maintenance concerns. The cities of Perry and Warner Robins have both been investing heavily in neighborhood revitalization in recent years with the intent of stabilizing older neighborhoods that have begun falling into disrepair. The Sand Hill neighborhood in Perry is a prime example of this investment.

The need also exists in these neighborhoods to preserve walkability and bikeability. As Houston County continues to grow, additional pressures on development are more likely to lead to busy streets and traffic congestion. Residents may find that additional sidewalk construction in these neighborhoods and the introduction of speed breaks along cut-through streets become more desirable to help preserve their own quality of life and property values. Finally, where neighborhood infrastructure may be aging, the need also persists to monitor and replace aging roads, water lines, and sewer lines as necessary.

Suggested Development Patterns:

- Well-designed development that blends into existing neighborhoods.
- Street layouts that connect to the existing street network at many points.
- Facilities for bicycles, including bikeways and bike lanes.
- Traffic calming measures, such as narrow streets, raised pedestrian crossings, and rough paving materials.



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Application for Special Exception
 Contact Community Development (478) 988-2720

SUSE-0001-20
 Application # SE 19-01

Applicant/Owner Information

*Indicates Required Field

	Applicant	Property Owner
*Name	Integrity Development Partners, LLC	Dorothy C. Winsfield
*Title	Steve Brooks, CFO	
*Address	1709 A Gorto Rd, PMB# 343, Valdosta, GA 31601	5300 Zebulon Road, Unity 32, Macon GA 31210
*Phone	229-219-8783	
*Email	sbrooks@ldphousing.com	

Property Information

*Street Address	1820 Macon Road, Perry GA		
*Tax Map #(s)	OPD400 015000	*Zoning Designation	c2

Request

*Please describe the proposed use: The applicant is requesting a special exception for the development of a 72 unit multifamily apartment complex.

Instructions

1. The application and \$85.00 fee (made payable to the City of Perry) must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
2. The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the application meets the tests for granting the special exception). See Sections 2-2 and 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
3. For applications in which a new building, building addition and/or site modifications are required, you must submit a scaled drawing of the proposed site development plan.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Special Exception applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
6. Please verify all required information is reflected on the plan(s). Submit one (1) paper copy and one (1) electronic version of the plan(s).
7. An application for special exception affecting the same parcel shall not be submitted more often than once every six months.
8. The applicant must be present at the hearings to present the application and answer questions that may arise.
9. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes ___ No
 If yes, please complete and submit the attached Disclosure Form.

10. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

11. Signatures:

*Applicant <i>[Signature]</i> Steve Brock, CFO	*Date
*Property Owner/Authorized Agent <i>[Signature]</i> Dorothy C. Wingfield	*Date 1/2/19

Standards for Granting a Special Exception

1. Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property? **See Attached**
2. Describe the existing land use pattern surrounding the subject property. **See Attached**
3. Describe how the proposed use will not have an adverse effect on the Comprehensive Plan. **See Attached**
4. Describe how any proposed structures, equipment or materials will be readily accessible for fire and police protection. **See Attached**
5. Describe how the proposed use will be of such size, location, and character that it will generally be in harmony with appropriate and orderly development of the surrounding area and adjacent properties, and will not be a detriment to uses permitted on adjacent properties. (Consider the location and height of buildings and other structures, and the extent of landscaping, screening and buffering.) **See Attached**
6. For uses to be located in or adjacent to a residential district, describe how the nature and intensity of the operations of the proposed use will not negatively impact pedestrian and vehicular traffic in the district. **See Attached**
7. Describe how the proposed use will not place an undue burden upon public facilities and services. **See Attached**
8. Describe how the proposed use will not create health and safety problems, and will not create a nuisance with regard to traffic congestion, drainage, noise, smoke, odor, electrical interference, or pollution. **See Attached**
9. Describe how the proposed use will not adversely impact the value of surrounding properties. **See Attached**
10. State the reasons why the subject property cannot be used for a use permitted in the zoning district in which it is located. **See Attached**

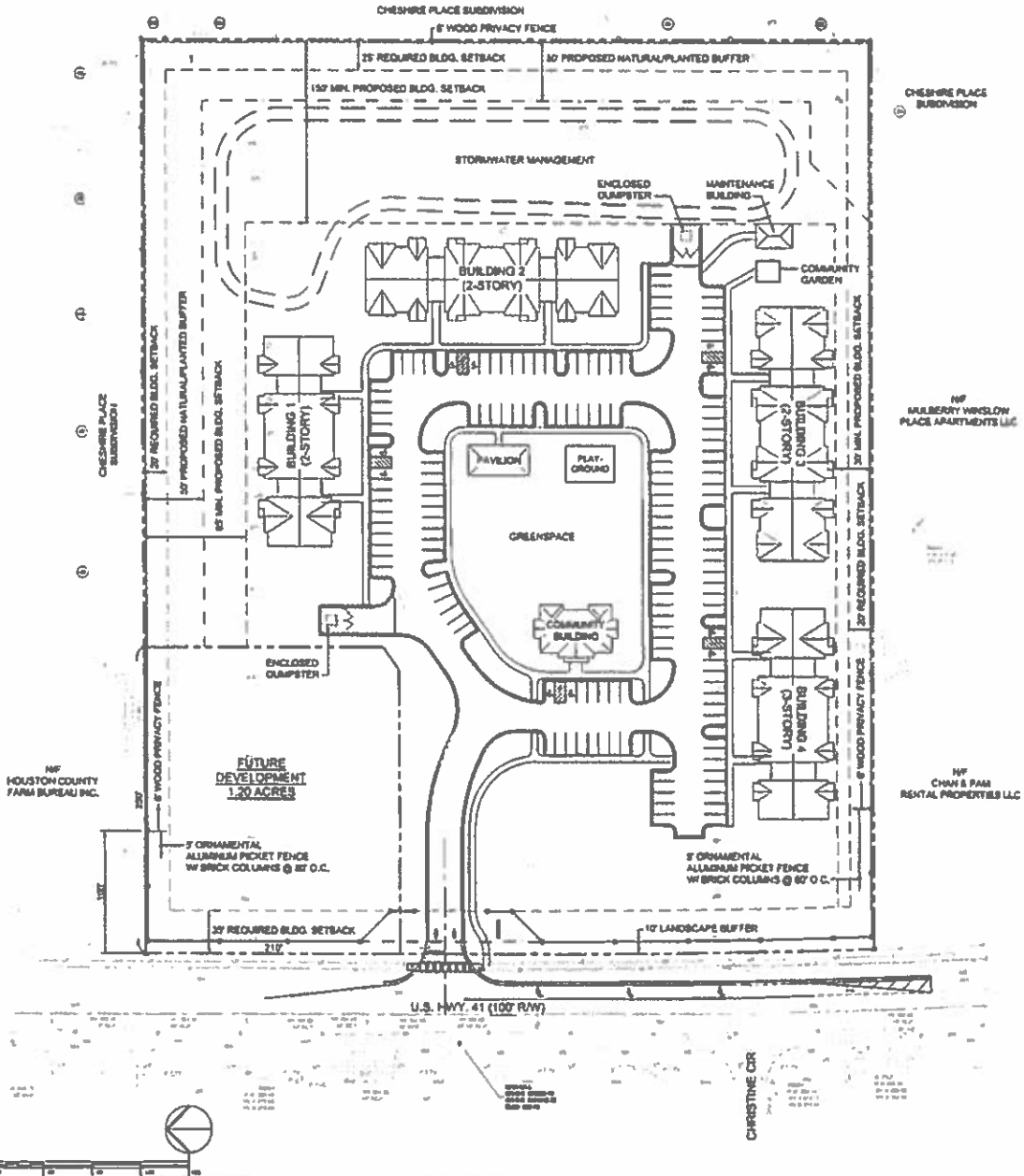
Revised 1/10/2018

For Office Use (receipt code 204.2)

Date received 1/14/19	Fee paid \$85 1/4/19	Date deemed complete 1/14/19	Public Notice Sign by 1/25/19	Legal Ad 2/6/19 place - Run 2/13/19
Notice to Applicant 2/6/19	Routed to PC 2/6/19	Date of PC 2/11/19	Date of Public Hearing 3/5/19	Date of Council action Notice of action



SITE DATA	
SITE AREA	8.08 ACRES
APARTMENT COMMUNITY	1.20 ACRES
FUTURE DEVELOPMENT PARCEL	18.20 ACRES
TOTAL AREA	27.48 ACRES
SITE ZONING	C2
PROPOSED APARTMENT UNITS	72
DENSITY (72 UNITS / 8.08 AC)	7.93 UNITS / ACRE
PARKING DATA	
PARKING REQUIRED (1.8 SPACES / UNIT)	128 SPACES
PARKING PROVIDED (2.1 SPACES / UNIT)	148 SPACES



Proposed Apartment Community
 1823 Macon Road • Perry, Georgia
 Integrity Development Partners, LLC • Valdosta, Georgia

SCALE: 1"=40'
 SHEET: 0019



INTEGRITY DIVERSITY PURPOSE

1820 Macon Road, Perry Georgia
Standards for Granting a Special Exception

Introduction:

It is our pleasure to submit our application for a special exception to construct a first class property to serve the citizens of the City of Perry. We are committed to being a good corporate citizen, and as such, have responded to the requests of the community in our design process to develop the best possible development for the location and maximize the green space of the site.

Prior to submitting our application, we held a neighborhood meeting to discuss the proposed development within the community. Based on the community's feedback, we have amended our site plan to increase the buffer and the greenspace requirements (in addition to several other design modifications made at the request of the community). As described below, the design plans have reduced the number of buildings and increased the set backs from the neighboring property owners to increase the overall greenspace of the site. For example, the development now has a 150 foot rear set back (which is six times or 125 feet more than the code requirements).

The proposed development will be new construction built to meet the Earthcraft Multifamily green building designation by Southface. Southface's EarthCraft Multifamily program provides certifications for low-rise and mid-rise multifamily developments. Multifamily standards address a wide range of sustainability considerations, including environmental performance, indoor air quality, building durability, comfort and affordability. EarthCraft addresses these concerns and the unit level and for the structure as a whole.

The development will also offer several amenities to its residents, including a separate community building for the resident's use.

We have submitted this application in good faith in an effort to work with the City of Perry. We are committed to being a good corporate citizen and working with the City of Perry to bring the best possible development to the City. However, it is our position that our development pre-dates the change in zoning that occurred in August of 2018. Prior to undertaking our design process, we contacted the City of Perry and obtained a zoning certification letter and water and sewer capacity letter in April and May of 2018. The zoning certification letter indicated that the development was zoned properly and permitted as a matter of right. In reliance on the existing zoning, we spent a substantial amount of money in moving forward with the development. In the event the development is not permitted to proceed, we expect to suffer a financial loss of over one million dollars. However, more importantly, the citizens of the City of Perry will be denied an affordable housing option in new Earthcraft Multifamily construction. We respectfully submit that our development is grandfathered in as a non-conforming use, and permitted as a matter of right.

Response to Standards for Granting a Special Exception:

1. Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the Property?

None.

2. Describe the existing land use pattern surrounding the subject property.

The property is surrounded by a mix of commercial and varying density housing. The site is currently zoned C2 and permits a variety of high density commercial uses as a matter of right.

The property is bordered on the west by US Hwy 41 (Old Macon Road), to the west of the highway is located a single family subdivision off of Christine Circle, north of that is commercial property with a day care facility, then residential duplexes, then a old hotel. To the north of the property is a commercial parcel fronting Hwy 41 (Farm Bureau Insurance), with single family homes that front Inverness Dr the rest of the northern border. On the east property line, is all single family residences that are located on Oxford Ct and Windemere Circle. To the South, is vacant commercial property and an 88 unit apartment community called Mulberry-Winslow Place. Further to the south on Hwy 41 are several apartment communities mixed with single family homes and Perry High School. Further to the North, is an Assisted living facility, commercial property, single family homes, and Perry Middle School. Further to the east, is single family homes.

3. Describe how the proposed use will not have an adverse effect on the Comprehensive Plan.

The proposed 72 unit multi-family apartment community fits in with locations character area under the Comprehensive Plan. The area is designated as Suburban Residential Area under the Character Area's in Comprehensive Plan. The Comprehensive Plan promotes apartment communities in these areas and calls out the need for higher density housing and greater affordability options.

The proposed use of housing is also consistent with the neighboring properties. Since the property is zoned C2, a wide variety of commercial development is permitted as a matter of right on the site. The proposed development, including the increased set backs and greenspace, is more consistent with the existing residential development and would create far less impact than the commercial uses currently allowed as a matter of right.

4. Describe how any proposed structures, equipment or materials will be readily accessible for fire and police protection.

The development will be a new construction built to the current code including design and built to meet the Earthcraft Multifamily green building designation by Southface. The

community will have a fully monitored sprinkler system for fire development along with a state of the art video surveillance system to monitor the community 24 hours a day.

- Describe how the proposed use will be of such size, location and character that it will be generally be in harmony with appropriate and orderly development of the surrounding area and adjacent properties, and will not be a detriment to uses permitted on adjacent properties, (Considering the location and height of buildings and other structures, and the extent of landscaping, screening and buffering.)

As discussed above, the site is currently zoned C2, which permits commercial uses as a matter of right. The proposed development for multi-family housing would be more in harmony with the existing surrounding uses.

The proposed development will be a 72 unit apartment community located on approximate 10.28 acres for a density of 7 units per acre. The community is proposed to be built in 4 residential buildings along with a community building and separate maintenance building. Three of the residential buildings will be two-story construction with the fourth building being a three-story building. The original plan was to have five residential buildings with four two-story buildings and one one-story building. The proposed three-story building is being located on the southwestern portion of the site well away from any adjacent single family property. The design plan was amended after the neighborhood meeting to create more greenspace and buffers with the single family properties to the North, East and Southeast.

The proposed site plan shows the development utilizing excessive building setbacks and buffers to accommodate the adjacent single family properties and to insure privacy.

	Required	Proposed	Increase
Front Yard Building Set Back	35'	35'	-
Side Yard Building Set Back			
Single Family	20'	85'	65'
Commercial/Multi-family	20'	30'	10'
Rear Yard Building Set Back	25'	150'	125'

Additionally a 50 foot planted / natural landscape buffer will be used to screen all single family adjacent properties combined with a 6 foot wood privacy fence. The developer is also agreeing to eliminate any balconies from the design of the apartment community.

- For uses to be located in or adjacent to a residential district, describe how the nature and intensity of the operations of the proposed use will not negatively impact pedestrian and vehicular traffic in the district.

The proposed development site has frontage along Hwy 41 and is located in a commercially zoned area. Hwy 41 has sufficient capacity to accommodate the expected traffic from the

proposed development without adversely impacting neighboring residential areas. The proposed development will include sidewalks throughout the development and will connect to the existing sidewalk that extends along the site's frontage on Hwy 41.

7. Describe how the proposed use will not place an undue burden upon public facilities and services.

As of May 9, 2018, the City of Perry had sufficient capacity for both water and sewer services to provided to the proposed development. Both water and sanitary sewer lines are currently located in the right-of way alongside of Macon Road adjacent to the proposed development. The 72 apartment units proposed for the development is much less than the total number of units that could potentially be constructed under the current zoning. The community is appropriately sized for the Perry market and for the site. The development will include centralized garbage collection areas that will be serviced by a commercial waste company. A playground and green space area will be provided in the community. The buildings will be constructed with efficient plumbing fixtures will not overburden existing water and sewer infrastructure.

8. Describe how the proposed use will not create health and safety problems, and will not create a nuisance with regard to traffic congestion, drainage, noise, smoke, odor, electrical interference, or pollution.

The development will be built to the Earthcraft Multifamily standards which require using construction practices, techniques and materials that promote saving energy and water, ensuring high indoor air quality, and protecting our land and natural resources. This will result in an environmentally favorable low impact construction process along with an environmentally friendly long term operation. The development will be designed to meet all required Federal, State and local stormwater standards and will retain significant greenspace and permeable areas. The developments traffic impact will be significantly less than if several other of the permitted uses under the C2 zonign were developed.

9. Describe how the surrounding use will not adversely impact the value of surrounding properties.

The development of high-quality, safe and decent housing on a vacant commercial site will help drive economic growth in the area. The development will be constructed with 30-40% brick or stone on all sides of the buildings with the remainder of the façade being completed with cement siding insuring a long lasting quality product. With estimated construction cost of \$9,000,000 or \$125,000 per residential unit, the development will be built to a greater standard than some of the single family housing being built in the area.

10. State the reasons why the subject property cannot be used for a use permitted in the zoning district in which it is located.

**Special Exception Application
Standards for Granting a Special Exception
Page 5**

The applicant is proposing a use allowed in the current zoning district and it is our position that the use is currently grandfathered in as vested, nonconforming use. When the applicant put the proposed site under contract in March of 2018 the site was zoned C2- General Commercial District which allowed for the development and construction of multifamily apartments without requiring a "Special Exception" approval by the City Council. The Land Management Ordinance allowed for the development of 179 apartments (17.42 units per acre) on 10.28 acres using two-story construction. Three-Story construction would have allowed for 223 apartments (21.78 units per acre). If you subtract the 1.2 acres that is being reserved for future development the resulting 9.08 acres would have allowed for 158 two-story apartments or 197 three-story apartments. During August of 2018 the City Council amended the Land Management Ordinance by requiring a Special Exception for any multifamily development over 6 units regardless of the zoning district.

The Land Management Ordinance does allow for multifamily housing to be developed without a Special Exception in the C2 zoning district for 6 units as long as the lot is at least 10,000 square feet which equates to a density of 26 units per acre. The applicant is proposing 72 units on 9.08 acres or 395,525 square feet which is a density of 8 units per acre. If you include the 1.20 acres reserved for future development the density would be 7 units per acre.



Where Georgia comes together.

Bryan Wood <bryan.wood@perry-ga.gov>

Neighborhood Meeting Results -1820 Macon Road / Creekwood Estates

Steve Brooks <sbrooks@idphousing.com>

Thu, Jan 10, 2019 at 2:33 PM

To: Bryan Wood <bryan.wood@perry-ga.gov>

Cc: Oscar Coronado <Oscar@idphousing.com>, Laurie Jarvis <ljarvis@idphousing.com>, Dustin Merriman <Dustin@idphousing.com>

Bryan, As you are aware we conducted the Neighborhood Meeting required under the new section 2-2.3 to the Land Management Ordinance on January 8, 2018 at the Perry Arts Center at 6 pm.

The meeting appeared to be well attended. We requested that everyone sign in on the attached sign in sheets but I believe several attendees didn't sign in. I know you were in attendance for a portion of the meeting and I am sorry we didn't get a chance to talk.

As a recap we set up about 5 pm and put a proposed site plan, basic building elevations and a few photos of similar products we recently completed on display. We let the attendees gather for a few minutes and got started about 6:05 with a brief introduction of our team and the reason for the meeting. Then I went into a brief introduction of the project covering the following:

- 10.28 Acre Site located at 1820 Macon Road
- 1.20 Acres held for future development (included in 10.28 acre site)
- Proposed 72 unit multifamily apartment complex
- Proposed 2-story construction
- 30-40% brick on all sides of every building
- Remainder of siding will be a cement siding made by Nichiha
- The building be built to and certified as an Earthcraft Multifamily project under the Earthcraft program overseen by Southface Energy Institute in Atlanta.
- The project amenities will consist of the following:
 - Playground
 - Picnic Pavilion with Grills
 - Community Garden
 - Community Building containing:
 - Computer Center
 - Laundry Facility
 - Community Room
 - Leasing Office
 - Security Cameras (no less than 24 cameras)
- 6 foot privacy fence next to single family residential

We also presented the proposed setbacks versus the required setbacks under the code (you can see this on the attached site plan)

- Front Yard Setback – Required 35' - Developer Proposed 50' minimum
- Rear Yard Setback – Required 25' – Developer Proposed 150' Minimum
- Side Yard – Single Family Residential – Required 20' – Developer Proposed 75' Minimum
- Side Yard – Multifamily – Required 20' – Developer Proposed 30' Minimum
- 50' Proposed Natural / Planted Buffer on all Single Family Adjacent properties.

After presenting this information we opened the floor for questions and spent about an hour discussing the project in general and potential modifications. We have attached the notes taken by our staff of the issues raised. I am sure you may hear directly from some of the attendees about any concerns they may have.

Please let me know if you have any questions and confirm that we have complied with the requirements for the Neighborhood meeting under the Land Management Ordinance.

Thanks

Steve Brooks

Chief Financial Officer

IDP Housing, LP

1709 A Gornito Rd, PMB #343






Valdosta, GA 31601

229-219-6763 (office)

229-219-6781 (fax)

229-563-5582 (mobile)

5 attachments

-  **1820 Macon Rd Neighborhood Meeting sign in sheets 01082019.pdf**
318K
-  **Neighborhood Meeting Photos and Boards Presented.pdf**
2226K
-  **Basic Elevations Neighborhood Meeting.pdf**
198K
-  **Neighborhood Meeting Site Plan Presented.pdf**
15974K
-  **Neighborhood Meeting Notes 010819.pdf**
81K

1820 Macon Road Development
Creekwood Estates, LP
Neighborhood Meeting
January 8, 2019
Meeting held at the Perry Arts Center

Questions and Concerns from the surround property owners:

- ❖ Traffic Issues
 - Will there be a deceleration lane?
 - Property Owners explained that traffic is backed up at certain times of the day.
 - Property and business owners complained of the current difficulty getting on and off of HWY 41.
- ❖ Property Buffering
 - How much of current trees will be left on the property?
 - Will the developer add more trees and shrubbery if so what type of plants and the quality of them?
 - Will there be a fence and what type of fence will be constructed?
 - Why use 6 feet fence and can it be a higher fence?
 - If made of wood, what type of wood?
 - Will there be a fence on the east side of the property?
 - Can you change the buffer around the property?
- ❖ Security and Trespassing issues
 - Surrounding property owners stated they have people cutting through their property, looking over their fences.
 - Will the property have security gates?
 - Will there be security cameras?
- ❖ Drainage issues
 - Property owners stated a concern that the new property will add to the current drainage problem the neighborhood is experiencing.
 - What is the plan on stormwater drainage?
 - What will be the actual size of the retention pond?
- ❖ Misc. Questions
 - Is the project funded by DCA?
 - Is the project a Section 8 property?
 - What rent will be charged?
 - Who qualifies to live in the property?
 - What material will be used for the exterior of the buildings?
 - What is the unit mix?
 - What made us choose this property?
 - Property Owners don't like the name Creekwood Estates, would we be willing to change the name?
 - It was expressed by property owners that Creekwood has a negative connotation in the Perry area.
 - For how long will the developer own the property?
 - What happens if the property doesn't take care of the green areas?
 - Will the property be energy efficient?
 - What is the developer's experience in other communities?
 - Property owners made suggestions to have no balconies on our buildings.
 - Why cant you build Condos' Instead?

John G. Walker

103 Oxford Court
PERRY, GA 31069

January 29, 2019

City of Perry, Georgia
Attn: Planning Commission
1211 Washington Street
Perry, Georgia 31069

Re: Application for Special Exception
Application #: SE-19-01
Applicant Name: Integrity Development Partners, LLC
Property Address: 1820 Macon Road, Perry, GA

Dear Planning Commission Members:

I am writing as a concerned resident of Cheshire Subdivision ("Cheshire") here in Perry. As I am sure you know, the above referenced applicant is seeking a special exception to allow for its development of a 72-unit multi-family apartment complex, at the above referenced address, on 9.08 acres which border Cheshire Subdivision on the north and east sides of the property, including residences located on Inverness Drive, Oxford Court (where my house is located) and Windermere Circle. I encourage the Planning Commission to recommend against the special exception, for the reasons outlined below:

- 1) Proposed use not in harmony with the appropriate development of the area. The proposed use is for a high-density dwelling complex to be located next to Cheshire (R-1). Specifically, the proposed use is for a 72-unit apartment complex, located on 9.08 acres, or a density of 8 units per acre. Meanwhile, Cheshire appears to have an average density of approximately 2 houses per acre. As addressed below, this will deter ongoing development and improvements to Cheshire and the surrounding area, and have a negative long-term effect on property values.
 - 2) Vehicular traffic caused by the proposed use will cause an inconvenience. Numerous residents of Cheshire and the surrounding area use Inverness Drive, located just north of the subject property, off U.S. Hwy 41, as the primary means of ingress and egress, to and from the neighborhood. Moreover, there is an R-1 development currently under construction, on the north side of Cheshire ("Legacy Park- Phase 3, Section 1"), whose future residents will likewise use Inverness Drive. Already, it can take 2 or 3 minutes, waiting for traffic, to turn out of Inverness Drive onto Hwy. 41. There is no question that the additional traffic will exacerbate this problem and be an inconvenience to residents of Cheshire and the surrounding area. There are already 3 high-density
-

dwelling complexes located to the south of the subject property, on Hwy. 41, and we do not need another such complex in this vicinity.

- 3) Proposed use may create a safety hazard and/or nuisance by excessively increasing traffic and congestion. The increased traffic and overall increased congestion caused by the development gives rise to certain safety concerns. I estimate that over 100 drivers would be driving to and from the proposed development daily. The driveway for the proposed development would be located near Inverness Drive and other surrounding roads and driveways. Simply put, this will cause too much traffic and congestion in the area, and it will make it difficult for residents to safely and timely drive out of the neighborhood and back, to and from U.S. Hwy. 41, a major highway with only two lanes of travel, and no middle turning lane.
- 4) Proposed use will deter improvement of adjacent properties. My wife and I are contemplating renovating our home to expand our utility room and add a bathroom, etc. If the development is approved, we will likely forego these improvements and seek to move elsewhere. Likewise, my brother Russell and his wife Krissy (Windermere Circle) have plans to renovate their home (to remodel the kitchen, replace flooring, etc.), but according to Russell, they may forego these plans, due to concerns over the proposed development. Mark and Tara McInvale (Windermere Circle) recently spent almost \$50,000.00 building a pool and improving their property. According to Tara, they would not have made these improvements had they known about the proposed development. Fred and Denise Anderson have a beautiful home on Oxford Court, where they have lived for over 20 years. Recently, Fred informed me that they will consider moving if the development is approved. Accordingly, the proposed use will deter improvements to properties within Cheshire, and have a negative long-term effect on the value of the homes within Cheshire and the surrounding neighborhoods.
- 5) Stormwater and drainage issues. From my observations, there are presently “drainage problems” on the back (east) side of the subject property (next to Cheshire), as there is standing water in that area when it rains. Moreover, as you may know, there are drainage problems elsewhere within Cheshire. These problems will likely be exacerbated by the proposed development, with rooftops and pavement to be constructed over a large portion of the remaining “permeable area” of the property. The developer apparently contemplates placing a “stormwater management” pond in this back (east) portion of the property, in close proximity to my home and others, which gives rise to additional concerns. For instance, will this “wet weather pond” be a breeding ground for mosquitoes? Cheshire already has a problem with stormwater management, which will likely be exacerbated by the proposed development.

- 6) The property can be used for other permitted uses and the proposed development should be located elsewhere. The applicant has failed to give any reason why the subject property could not be used for another use that is permitted in the zoning district. Rather, the applicant simply takes the position that their proposed nonconforming use should be “grandfathered in,” since the applicant supposedly put the site under contract in March of 2018. Moreover, the applicant takes the position that “prior to undertaking our design process, we contacted the City of Perry and obtained a ‘zoning certification letter’.” In fact, it appears that GEC Consultants, Inc. (not the applicant) made an inquiry about the existing zoning as of April 10, 2018. Obviously, this inquiry would not prevent the City from subsequently re-zoning the property. Common sense dictates that it is the application date that controls, not a prior contract, prior ownership or a prior inquiry about then existing zoning. (Obviously, “non-conforming uses” that are in place at the time a zoning ordinance is modified would be grandfathered in.) The subject application was made after the City’s land management ordinance was modified, to require a special exception for any multifamily developments of over 6 units, and the applicant is clearly subject to the same. The subject property can be used for other permitted uses, and the proposed development should be located elsewhere.

Based on the foregoing, I ask that you use your lawful discretion to do what is in the best long-term interest of the City of Perry and its residents, and recommend against the subject application for special exception. Thank you very much for your time and attention to this matter. Please call me at 478-224-0224 should you have any questions, or should you need anything further from me.

Very Truly Yours,


John G. Walker

6. Will the proposed use will be of such character that it will be detrimental to the orderly development of adjacent properties?

Yes

Maybe

No

7. Will the proposed use will be of such location that it will be a deterrent to the improvement of adjacent properties?

Yes

Maybe

No

8. Will the proposed use will be of such size that it will be a deterrent to the improvement of adjacent properties?

Yes

Maybe

No

9. Will the proposed use will be of such character that it will be a deterrent to the improvement of adjacent properties?

Yes

Maybe

No

Paragraph "5"

10. Will vehicular traffic to and from the development be hazardous to the people of the neighborhood?

Yes

Maybe

No

11. Will vehicular traffic to and from the development be inconvenient to the people of the neighborhood?

Yes

Maybe

No

12. Will vehicular traffic to and from the development be incongruous with the neighborhood?

Yes

Maybe

No

13. Will vehicular traffic to and from the development conflict with the normal traffic of the neighborhood?

Yes

Maybe

No

14. Will pedestrian traffic to and from the development conflict with the normal traffic of the neighborhood?

Yes

Maybe

No

Paragraph "7"

15. Will the development cause a public safety problem?

Yes

Maybe

No

16. Will the development create a nuisance?

Yes

Maybe

No

17. Will the development cause excessively increasing traffic?

Yes

Maybe

No

18. Will the development cause congestions associated with traffic?

Yes

Maybe

No

19. Will the development create a drainage problem?

Yes

Maybe

No

20. Will the development generate unnecessary disturbance due to noise?

Yes

Maybe

No

Paragraph "8"

21. Will the development adversely affect property values in adjacent areas?

Yes

Maybe

No

Paragraph "9"

22. Are there no substantial reasons why the property cannot be used for a permitted use as it's already zoned, without the need for an exception?

Yes

Maybe

No

Cheshire Place

SAY **NO** to Special Exception

provided by Steve
Howard
to Commission
2/11/15

We would like to address three items of concern regarding the SUSE-0001-2019 request. First, the total number of multi-family units along Macon Rd; second the corresponding traffic impact of all those units emptying onto Macon Road; and finally stormwater concerns.

There are currently four multi family developments along a 2100 feet section of Macon Road: Ashton Landings (with its 108 units), Cameron Court (with another 112 units), Commodore Manor (another 53 units), and Mulberry Winslow Place (88 more units). Together, those four developments total 361 multi family units.

This leads to our second concern - traffic. Each of these developments, and all the corresponding units, empty directly onto Macon Road. Granted, Cameron Court contains an additional outlet, but it is fenced and for emergency exit only. This emergency exit empties onto Spring Creek Drive, which in turn empties directly onto Macon Road.

There is no other section of road in the City that has this many units in such close proximity. The development that comes the closest is Houston Lake Apartments with 300 units. Adding the quadruplex on Club Villa Court to that total increases the number by 52 units. That gives us a total of 352 units, which is still less than the 361 on Macon Rd. While those numbers seem close initially, there are significant qualitative differences between the two especially in regards to traffic impact. The units at Houston Lake and Club Villa empty onto a four-lane, divided highway and a three-lane highway respectively. Both have near immediate access to a traffic signal at the intersection of Houston Lake Rd and Highway 127. There are also three different means of access onto these highways. On the other hand, these 361 units along Macon Road only have access to a 2100 foot strip of this two lane highway. Another 72 units would unnecessarily add to the only area within the City to have this saturation level of multi family units.

The staff report states the proposed development will generate 31 pm peak hour trips. We don't disagree that this seems to be a small number. The concern we have is there seems to be no consideration of the impact for developments already approved that will access Macon Road in this same area as defined on the board depicting an aerial view of Macon Rd. This picture represents a slightly less than 3/4 mile radius with the center being the center of the 10 acre tract in question where it abuts Macon Road. We have not included those portions of the circle that are North of the Parkway or encompass developments that would not access Macon Rd in our data.

The GADOT website has hard data counts for site 153-0072 at mile marker 4 on Macon Rd. The last count was 8580 in 2017. There is a chart in your hand out that shows an increasing curve in volumes. There was a more recent count done in January 2019 according to my contact at GADOT but that information is not yet available. GADOT was asked what would be the volume for this area of Macon RD. However their answer was that it's more complicated than just pulling out a number. They must analyze many different data points. To name a few, speed limits, number of current drives, street intersections, types of development, and traffic volumes. There are 200 single family residential lots that have been approved and are currently being built on that are not yet reflected in the traffic counts. It is reasonable to assume given the current rate of single family construction these lots will be fully built out in three to five years. The City is currently averaging over 300 single family permits per year and build out of those lots could be a shorter time frame (40 of the 200 lots have homes built but not all are occupied). The number of trips generated by the remaining 160 lots not yet built could be as high as 1600 additional trips (10 trips per day per household is the current standard used to estimate trips per residence). Those additional trips should be counted in any assessment since the City has given approval to those developments. This would also reflect in the peak rate number. Without having a Traffic Impact or feasibility study, the Planning Commission and City Staff do not have pertinent information needed to make a true assessment of traffic. On a

side note Houston County recently changed their ordinance to require traffic studies when certain criteria are met. The City may need to consider a similar ordinance given current development trends.

The third item this Planning Commission must address is storm water concerns. There are at least three options to handle the storm water. 1. A detention pond that will use a mechanical means to pump the runoff to the front of the property and be released into the GADOT R/W. 2. A detention pond that will release the water at a given rate through a weir device. 3. A retention pond that will retain the water permanently and utilize a sheet flow release in times of a major rain event.

We understand the development will have to meet the City's requirements. The City will review the design for compliance before construction could begin. Where will the storm water runoff go? This site does not currently release water into the GADOT R/W. There is a difference in elevation from the Macon Rd side to the East property line of 7 feet. There are several photographs in your handout depicting the amount of runoff as it currently exist. There is also a photograph depicting runoff issues with the adjacent apartment complex, Winslow Place from August 2018.

Option 1. Mechanical; It is unlikely the developer would utilized this option, but if it were, these questions arise. Who will maintain the mechanical system? What happens when the systems fails in a 100 year storm event? There is no stormwater runoff into the GADOT R/W currently from this site. Will the GADOT allow a current zero flow into their system to be substantially increased and will there system handle the increase? Where will the stormwater runoff go?

Option 2. Detention Pond; These are the typical ponds utilized for development in the City. They detain the water based on engineering data and then release at a rate equal to or less than the current rate of runoff. This option also generates concerns. 1. The release is generally changed from a sheet flow release to a point source release, thus concentrating the release over a smaller area. 2. Where does this stormwater runoff go? 3. There are no easement or conveyance system to allow the runoff to flow into the current system in Cheshire S/D. The current system in Cheshire S/D is maxed out and will not be able to handle the additional flow. We base that on the City having to construct an additional pond several years ago to deal with flooding in the Cheshire S/D and the next phase of Legacy Park S/D that has been approved to release a portion of its runoff through the Cheshire S/D system.

Option 3. Retention Pond; This seems to be the most logical approach, however it to causes concerns. The pond would likely be a retention pond that would only release water in a large rain event, ie 100 year storm event, then allow it to sheet flow along the length of the berm supposedly at the current rate. What happens when the 100 year storm event happens in a back to back scenario? Do you size the pond to permanently detain two 100 year storm events for added protection? I do not believe the City's current ordinance would require that. So where will the stormwater runoff go? Finally with a retention pond, how will the water quality and the issue of mosquitos be handled?

These three concerns, the number of multi family units concentrated along 2100 feet of Macon RD, the lack of a traffic impact study or feasibility study including the 200 homes already approved for the area, and the potential storm water impact, speak to the Standards for Special Exception, numbers 4 and 5. We would ask, based on the information provided, the Planning Commission recommend denial of Special Exception Request SUSE-0001-2019 submitted by Integrity Development Partners, LLC. Thank you.

1/2 Mile Radius of Cheshire in Red. Yellow circle is a smaller area where everyone hits 41

Longbranch :
Subdivision existing and pending new builds (93 LOTS)

Special Blessings Learning Center (63 enrollees)

Gresham Creek 44 Homes

Cameron Court 112 UNITS

Spring Creek 30 Homes

Perry Middle School

Existing and In Process of Development: Legacy Park :
An entire phase will enter and exit via Cheshire (229 lots total and 198 in Phase 2)

Cheshire Entrance/ Exit (86 homes) and thru traffic from Northside is 96 homes

Proposed Creekside Property (72 Units)

Winslow Place 88 Units



Free Map Tools iOS App



I-75 and Bypass

1 Mile Radius of Cheshire with 1/4 mile center radius

Longbranch : Existing and pending new builds (93 Lots/Homes)

Special Blessings Learning Center (63 enrollees)

Gresham Creek 44 Homes

Cameron Court 112 Units

Spring Creek 30 Homes

Commodore Manor 53 Units

Ashton Landing 108 Units

Perry Middle School

Existing and In Process of Development:
Legacy Park : An entire phase will enter and exit via Cheshire (229 lots total and 198 in Phase 2)

Cheshire /Northside Entrance/ Exit (86 homes) and thru traffic from Northside is 96 homes)

Proposed Creekside Property (72 Units)

Winslow Place 88 Units

Chapel Ridge Dr. 80 Homes

Pine Needle, etc 19 Homes

Park Avenue, etc 26 Homes

Perry High School

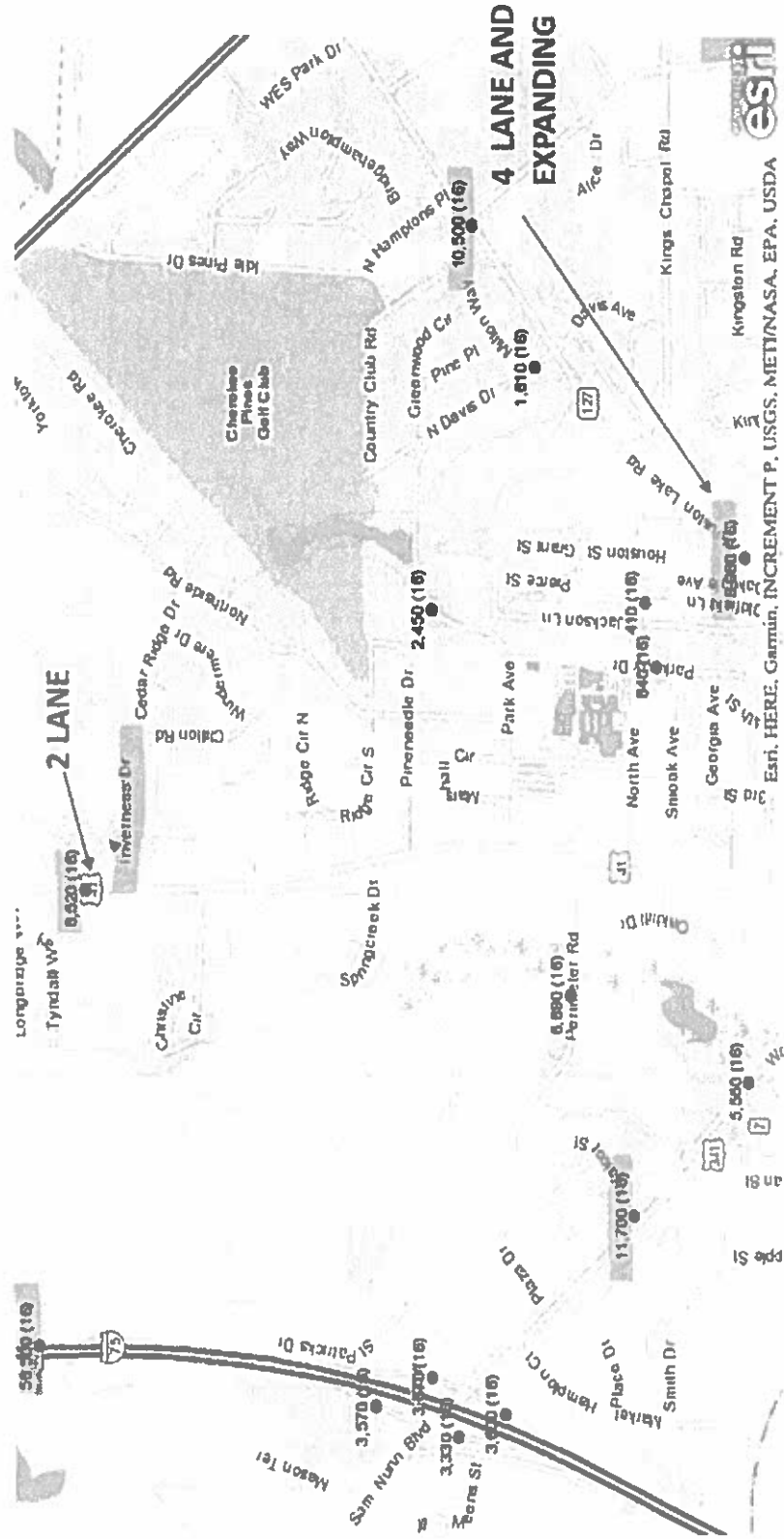
One Mile Corridor Snapshot – US-41 (Macon Road) from Perry Parkway to Perimeter Rd.:

- Perry Middle School - city
 - Longbridge – single-family (93 lots)
 - *Progressive Self-Storage - commercial*
 - *Perry Computer Service - commercial*
 - *Utility Service Company - commercial*
 - Willow Creek Assisted Living
 - *Georgia Farm Bureau - commercial*
 - Cheshire Place – single-family (86 homes)
 - Thru access, Northside Rd. (96 homes)
 - Thru access, Legacy Park (229 lots total; 198 lots phase 2)
 - *Special Blessings Learning Center – commercial (64 enrollees – 130+ vehicles/day)*
 - Gresham Creek- single-family (44 homes)
 - *Sigma Defense Systems - commercial*
 - Winslow Place – multi-family (88 units)
 - Chapel Ridge Dr., and immediately surrounding area – single-family (80 homes)
 - Cameron Court – multi-family (112 units)
 - Pineneedle Dr. , and immediately surrounding area – single-family (19 homes)
 - Spring Creek – single-family (30 homes)
 - Ashton Landing – multi-family (108 units)
 - Park Ave. , and immediately surrounding area – single-family (26 homes)
 - Perry High School
 - Commodore Manor – multi-family (53 units)
 - HCBOE Annex - county
 - My Eye Dr. (formerly Thompson Eye Care)
-

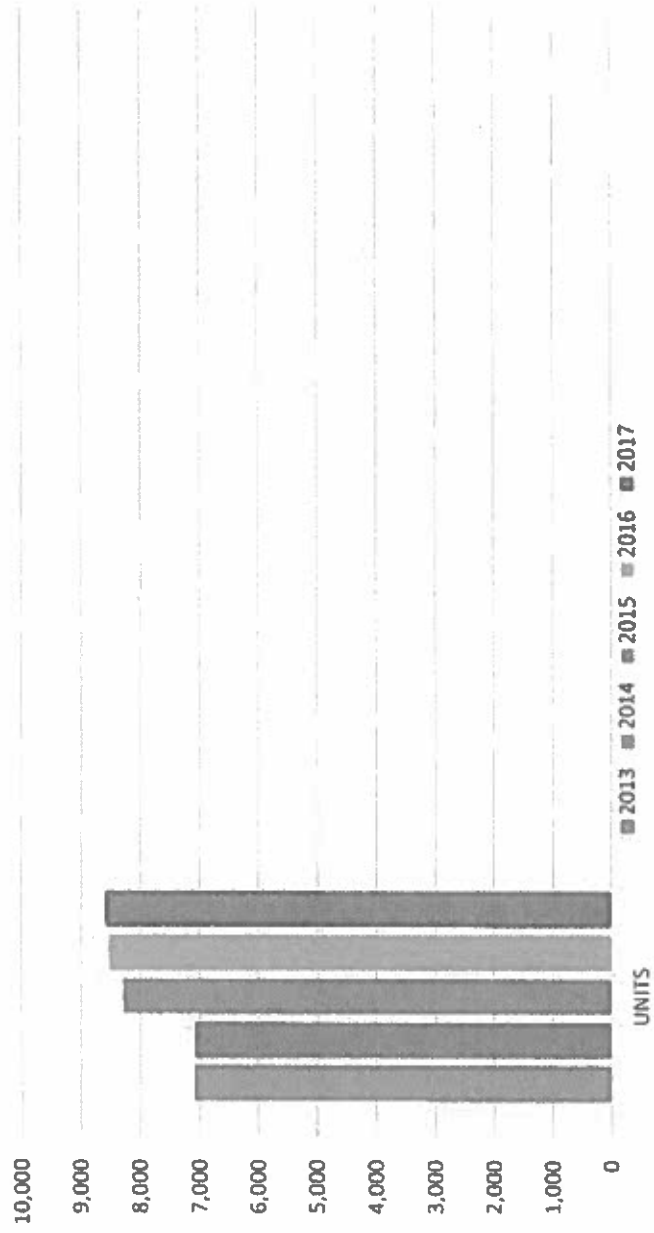
**Summary of US-41, Perry Parkway to Perimeter Road,
Corridor Density/Usage:**

- **Single-Family = 703 homes (66%)**
- **Multi-Family = 361 units (34%)**
- **Total Housing Density = 1,064**
 - 1.5 vehicles per household = 1,596
 - 2 vehicles per household = 2,128

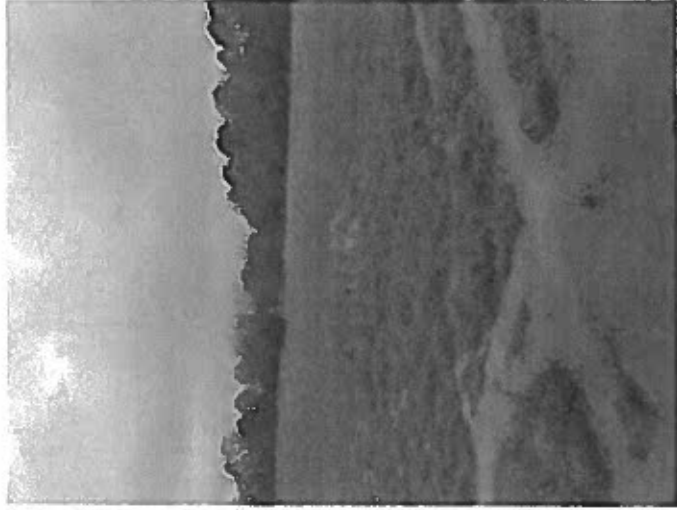
Density/Traffic Congestion



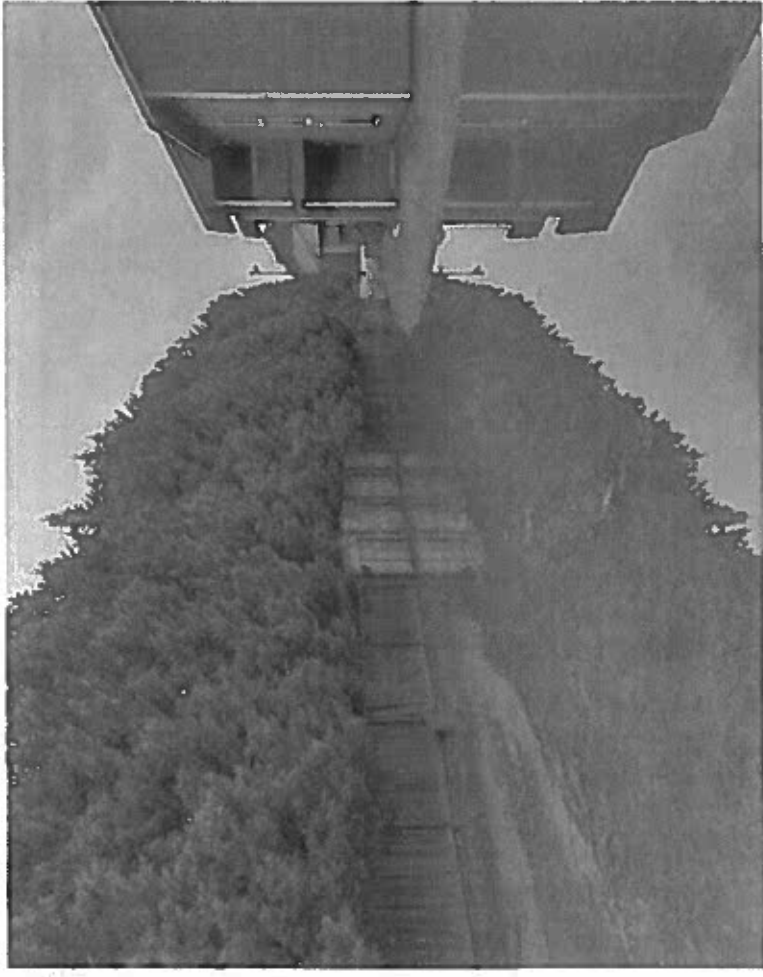
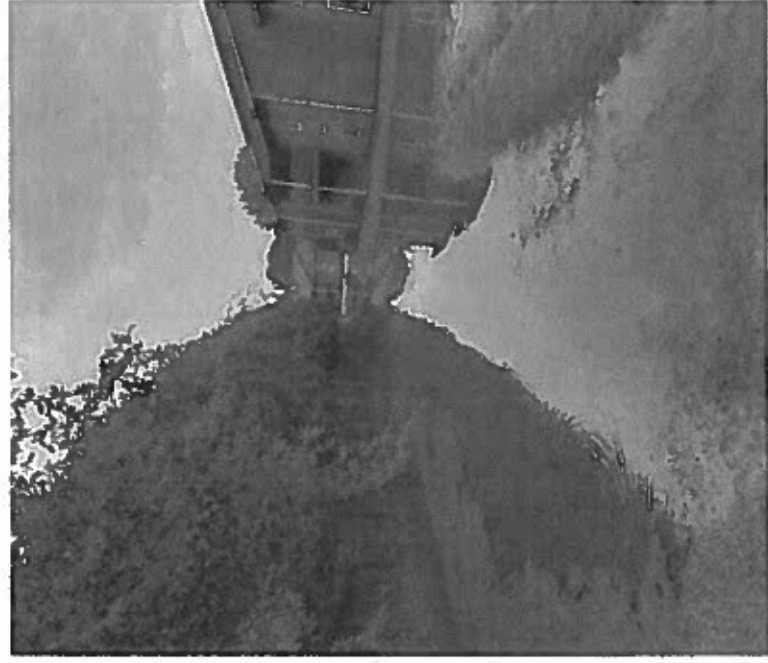
Traffic Count on Highway 41 at Inverness



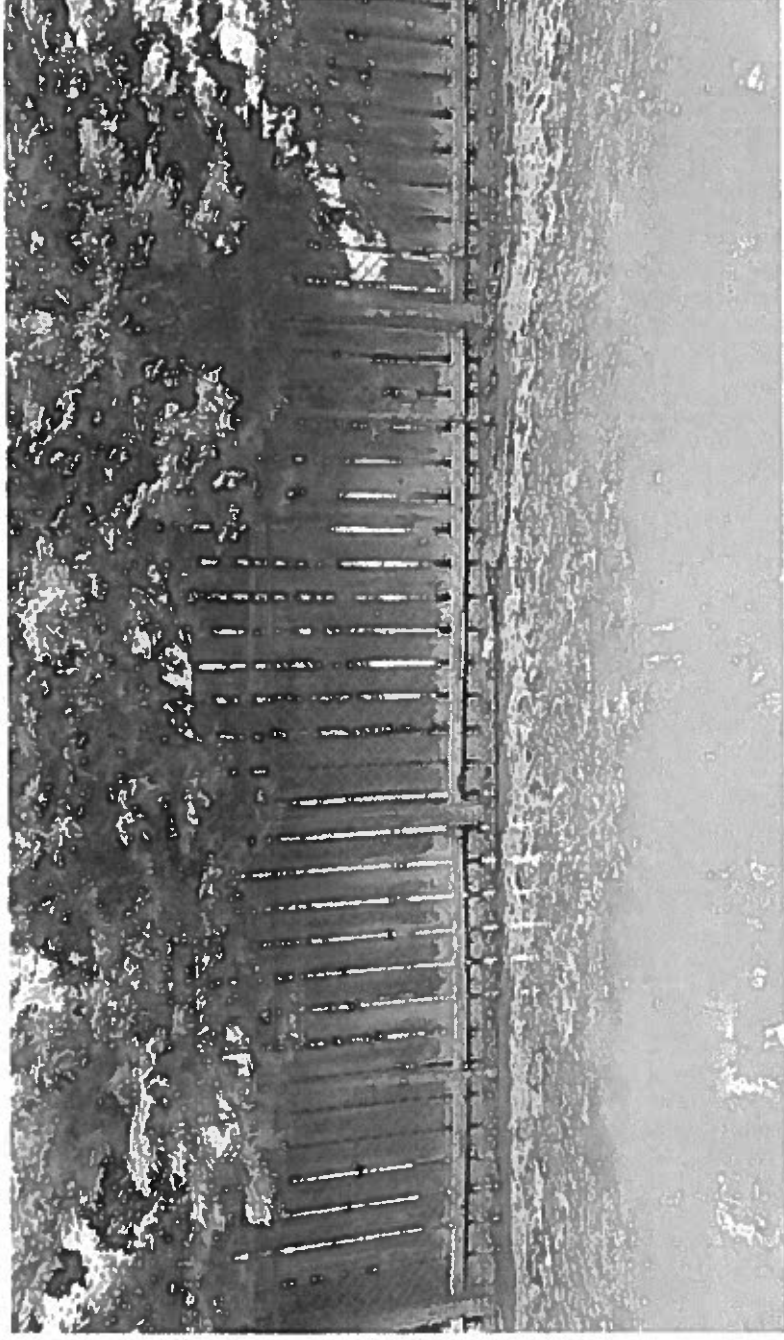
1820 Macon Road



Picture of Winslow to Cheshire Resident



Picture of water standing on fence between
Winslow and Cheshire Resident



02/12/2019



Positively Impacting Communities

Founded in 2011, IDP Properties is a full-service real estate development firm that invests in and redevelops communities. We specialize in development, acquisitions, property management, construction management and consulting. We take pride that each project we develop is as diverse as the communities we serve. We believe our purpose is to strengthen communities and leave a lasting positive impact.



Why we come to work every day.

People often ask, what does IDP mean? We're proud to answer, "Integrity, Diversity, and Purpose." These three words are the foundation on which our business was founded. It's the reason we all come to work every day and why our business continues to grow.



Integrity

Integrity is the reason why our public and private partners trust us. Local governments, community leaders, businesses and our investors trust us again and again because they know we stay committed to the communities in which we work. Our passion is to transform communities and leave a lasting positive impact for generations to come.



Diversity

We believe our country's diversity is one of its greatest strengths, and we are proud to partner and engage with communities that represent different races, ethnicities, and socio-economic backgrounds. Our approach to each development is to identify and focus on the needs of a community. Once that need is identified, we determine how the property can best serve the individuals living within that community while providing both social and economic development opportunities.



Purpose

The purpose behind all of our developments is to build better places. In doing so, we strengthen communities, improve neighborhoods and empower individuals. Our developments create jobs and provide stability to the cities in which we work and to the individuals we work with.



March 2018

- Initial Due Diligence Performed
- Zoned C2 – Commercial, General Commercial District
- Suburban Residential Character Area per the 2017 Joint Comprehensive Plan Update for Houston County and the Cities of Centerville, Perry, & Warner Robbins.
- Per review of Land Management Ordinance the zoning permits
 - 179 apartment units if built in one or two story buildings.
 - 223 apartment units if built in three story buildings.
- Site put under contract.
- Application to Georgia Dept. Of Community Affairs for a \$2,000,000 loan.
- Confirm zoning and use classifications in person with the Department of Community Development.

May 2018

- May 3, 2018 – Awarded a \$2,000,000 HOME loan by DCA
- May 4, 2018 – Notified the Asst. City Manager and Director of Community Development of DCA's loan approval and asked to meet to discuss the project.
- May 8, 2018 – Met with Asst. City Manager and Director of Community Development and reviewed the proposed development.
- May 9, 2018 – Received letters from the City confirming that Water and Sewer capacity is available and in close proximity to the site.
- May 24, 2018 – submitted an application to DCA for an allocation of Low Income Housing Tax Credits

November 2018

- November 19, 2018 – received an Allocation of LIHTC from DCA
- November 28, 2018 – DCA releases full awards list to the public.
- November 28, 2018 – Receive notification from Director of Community Development that since we had last spoke the City's ordinances relating to Multi-family developments had changed.
- According to the Director, any multi-family development exceeding six units in any zoning district now requires a special exception.
- A Neighborhood Meeting is now required for all multi-family developments prior to submitting any application for the special exception.

December 2018

- December 17, 2018 – sent list of residents to be invited to Neighborhood meeting to Director of Community Development for Approval.
- December 18 , 2019 – list approved by Director with one addition.
- December 27, 2018 – Notice of Neighborhood meeting to be held at the Perry Arts Center on January 8, 2019 mailed to approved list and emailed to the Director of Community Development.

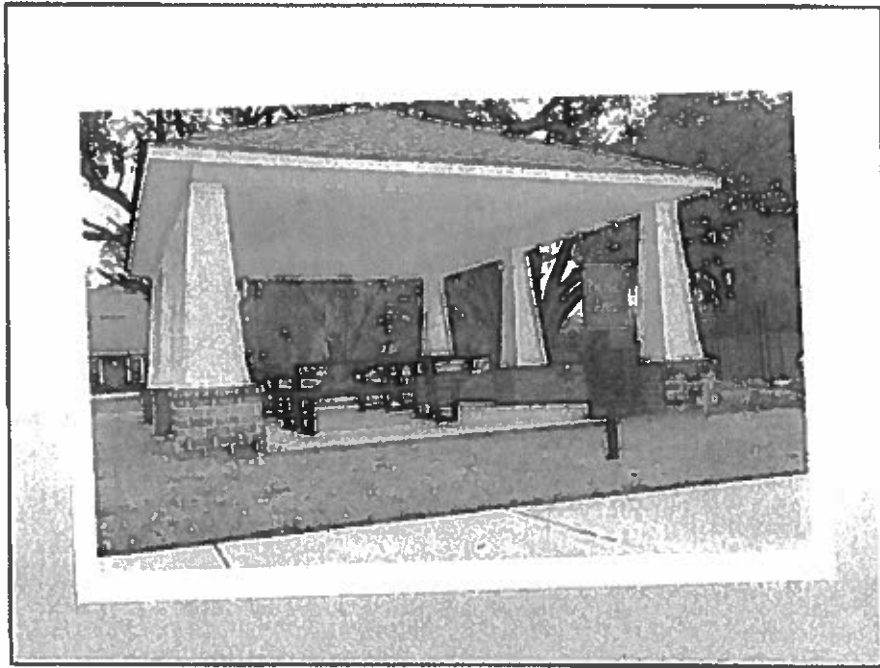
January 2019

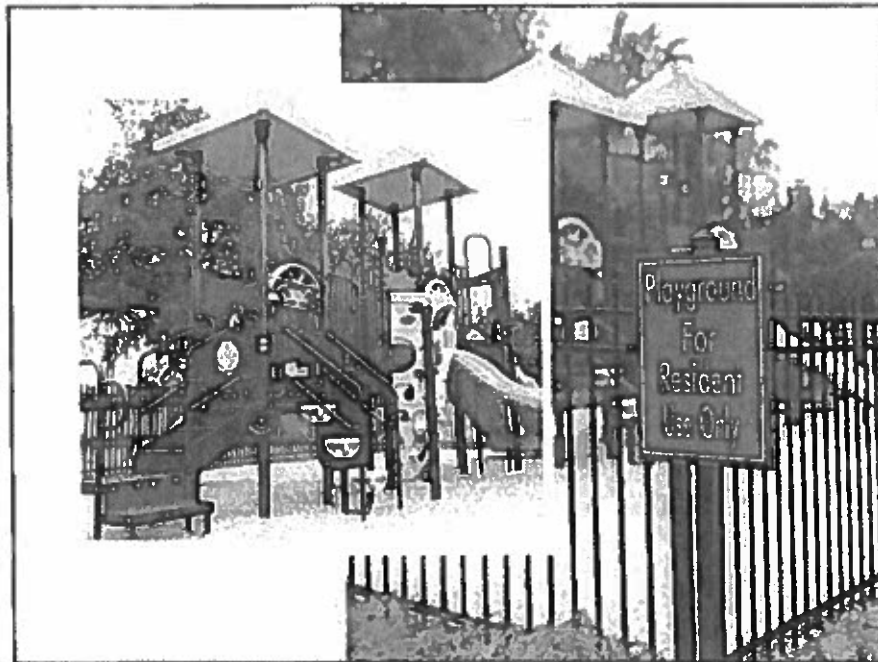
- **January 8, 2019 – Neighbor Meeting held to present the development design and seek input.**
 - Presented Similar Project Photos
 - Proposed Site Plans
 - Basic Elevations
- **Concerns Raised by participants**
 - Traffic Issues
 - Property Buffering
 - Security and Trespassing Issues
 - Drainage Issues
 - Is this Section 8 housing
 - Is it funded by DCA
- **January 14, 2019 – Special Exception Application submitted to the City.**

Development Details

- **10.28 Acres Site**
- **1.2 Acres held for future development**
- **72 units of Multi-family apartments**
- **Picnic Pavilion**
- **Playground**
- **Community Garden**
- **Small Maintenance Building**
- **4 Residential Buildings**
 - **3 – Two Story Buildings with 16 units each**
 - **1 – Three Story Building with 24 units**
- **Community Building**
 - **Leasing Office**
 - **Community Room**
 - **Computer Center**
 - **Laundry Facility**

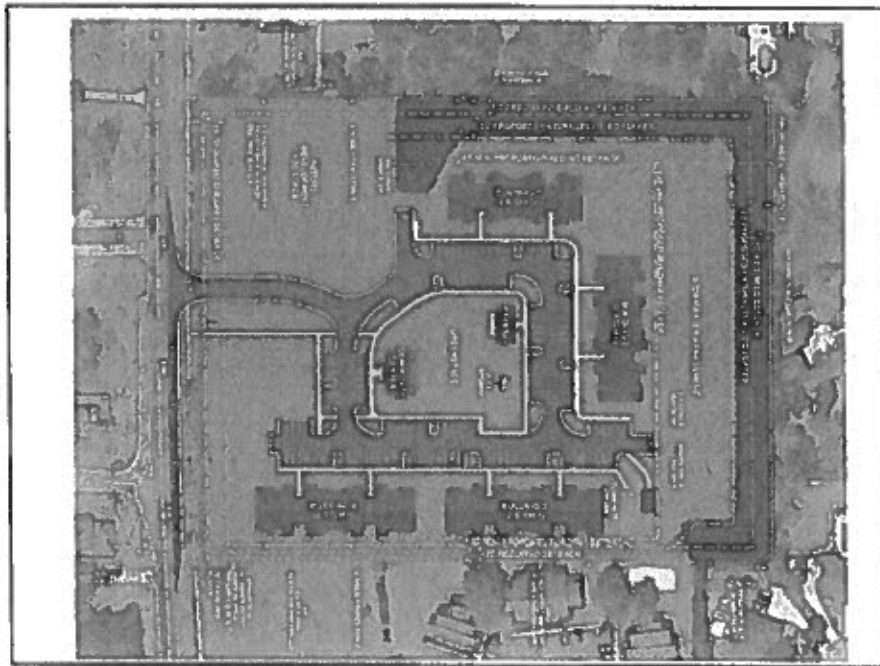






Unit Mix

- 16 – 1 Bedroom / 1 Bath Units – 775 Square Feet*
 - 32 – 2 Bedroom / 2 Bath Units – 1,000 Square Feet*
 - 24 - 3 Bedroom / 2 Bath Units – 1,230 Square Feet*
- Square footage is approximate. Plans not finalized.



Existing Land Use Pattern





Comprehensive Land Development Plan



Suburban Residential Character Area

- 2017 Joint Comp Plan updated in 2016
- Only Character Area in Comp Plan to encourage Multi-Family apartments.
- Comp Plan states “future development within the residential land use should be a greater variety of housing types. In general, there is a lack of housing diversity, particularly in terms of higher density and greater affordability.”
- Comp Plan suggests development of higher-density housing along arterial roads.

Adequate Fire and Police Protection

Full Sprinkler System in all buildings

Video Surveillance System on whole property



Will the Proposed use be of such location, size and character that it is not detrimental to surrounding properties?



Location:

- Located directly fronting Macon Road.
- No planned driving or walking access except to Macon Road.



Size:

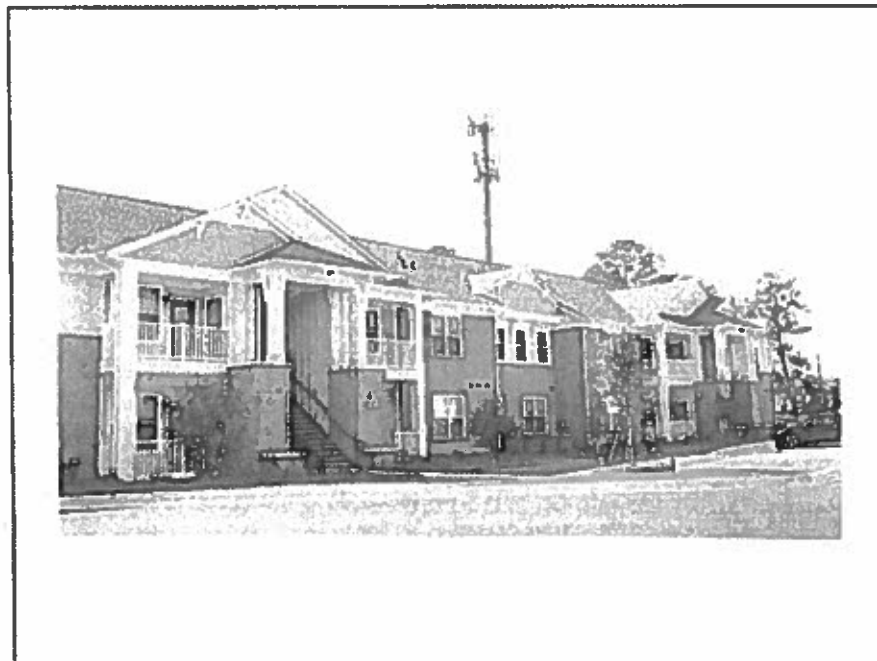
- 7.93 Units Per Acre Density (based on 9.08 Acres)
- Winslow Place – 12.10 units per Acre
- Cameron Court – 7.70 units per Acre
- Ashton Landing – 7.12 Units Per Acre
- Commodore Manor – 12.56 Units Per Acre

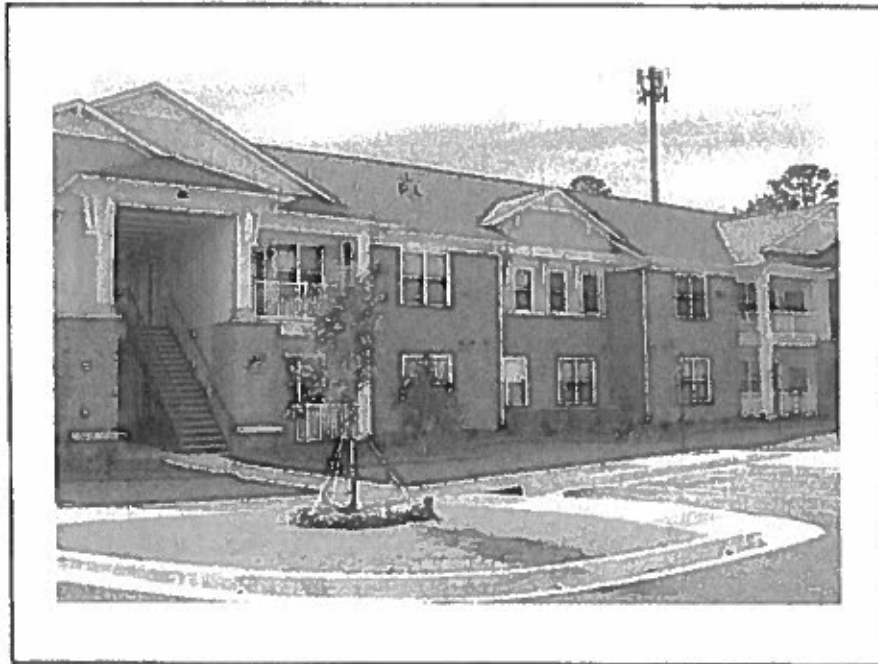


Character:

- 30-40% Brick
- Remainder will be Cement Siding
- No Balconies
- All Amenities will be on the interior of site.
- All parking on interior of the site.
- Wood Privacy Fence
- Ornamental Fencing in Front







Will the use interfere with normal traffic, pedestrian or vehicular in the neighborhood?



Vehicular Impact

- One Vehicular Entrance to Macon Road
- A right turn deceleration lane will be installed for vehicles entering the community from the South.
- Current Traffic per DOT 8,580 cars per day
- No projected Traffic impact through Cheshire



Vehicular Impact

- Single Family Detached Housing generates 44% more traffic per unit than multi-family apartments.
 - Apartment - 6.63 trips per day
 - Single Family Detached - 9.57 trips per day

Per Trip Generation, 6th Edition – Institute of Transportation Engineers.



Vehicular Impact

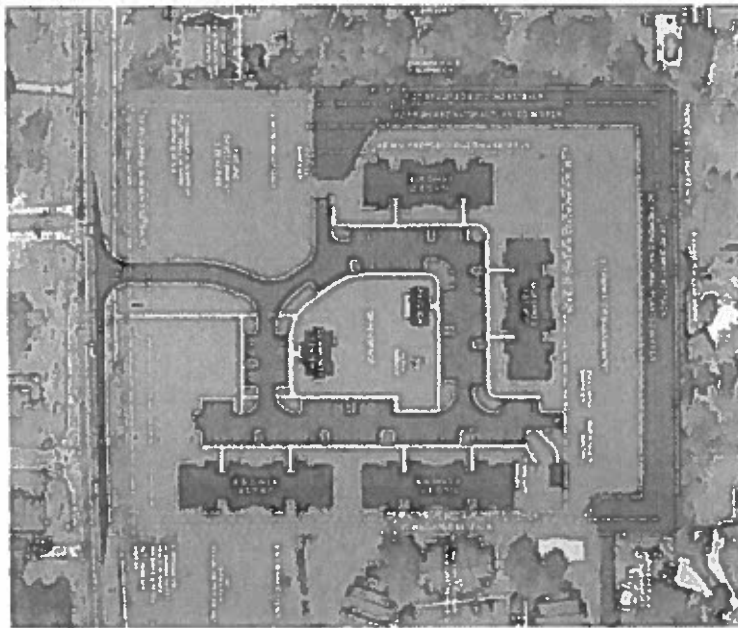
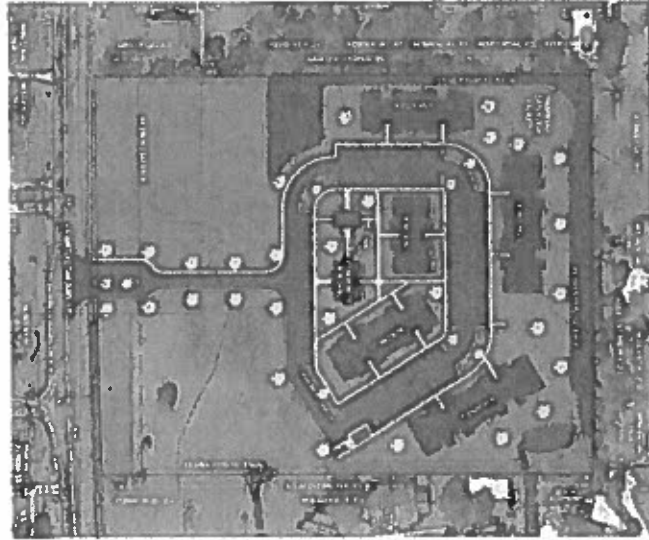
- Estimated 475 Vehicular Trips Per Day (weekday)
- 50% in-bound / 50% out-bound or 238
- Alternate Entitled Uses would generate larger traffic impact.
 - 50,000 Square Foot Shopping Center – 2,145 Trips Per Day
 - 50,000 Square Foot Office Complex – 551 Trips Per Day
 - 200 Room Hotel – 1,784 Trips Per Day
 - Fast Food Restaurant – 1,984 Trips Per Day

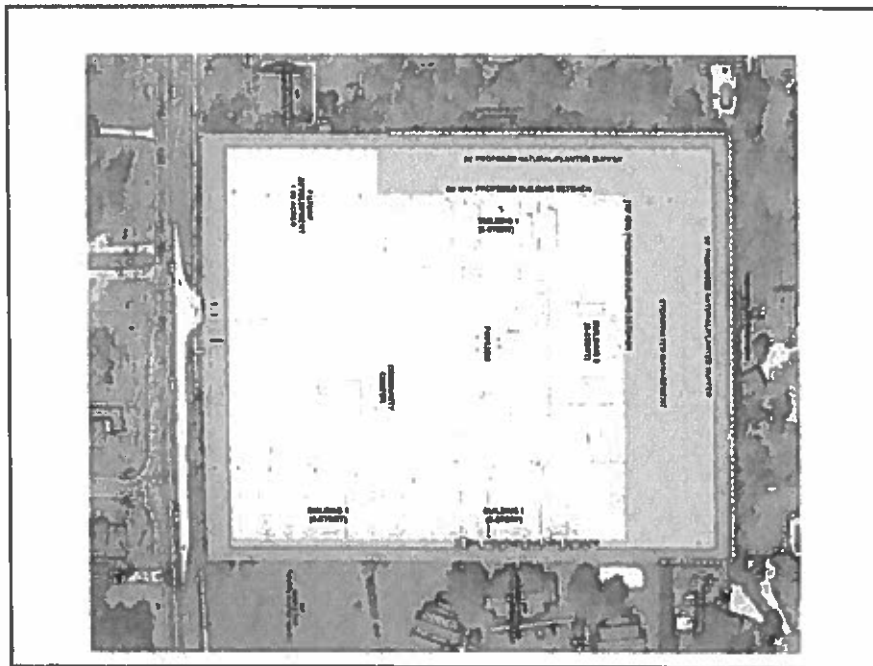
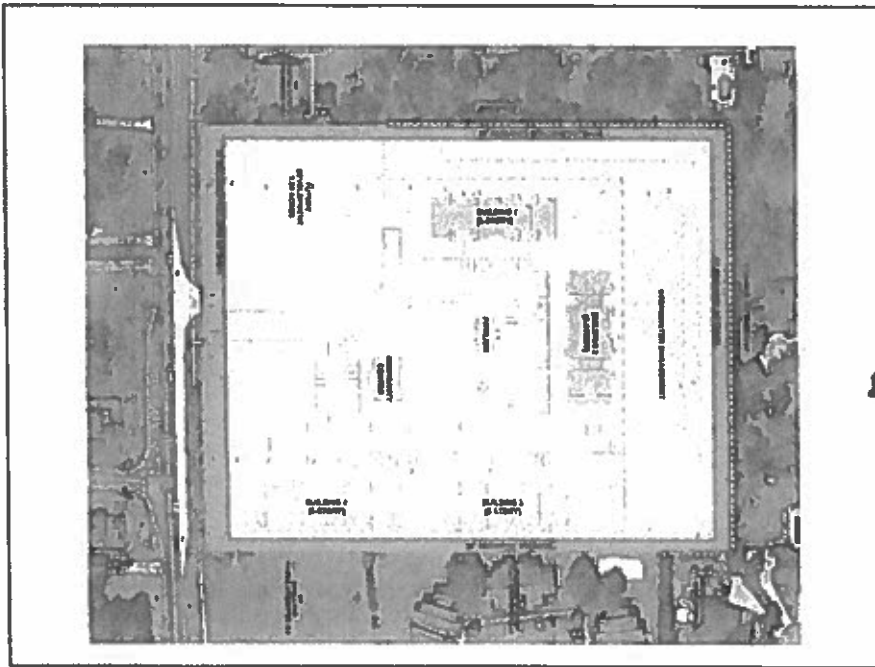


Will the location and height of buildings, and other structure and the nature and extent of screening, buffering, or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern?





Original Concept Plan





	Required	Proposed	Increase
Front Yard Building Set Back	35'	35'	-
Side Yard Building Set Back			
Single Family	20'	85'	65'
Commercial/Multi-family	20'	30'	10'
Rear Yard Building Set Back	25'	150'	125'



- 50 ft proposed Natural / Planted Buffer
 - Wood Privacy Fence on Sides and Rear
 - Ornamental Fence in Front
 - No Balconies on the units
 - Three Story Building placed on Southwestern portion of the property to keep away from single family.
 - All Parking and Amenities to the interior of the property.
- 



Will the use result in an increase in population density overtaxing public facilities?



Public Utilities

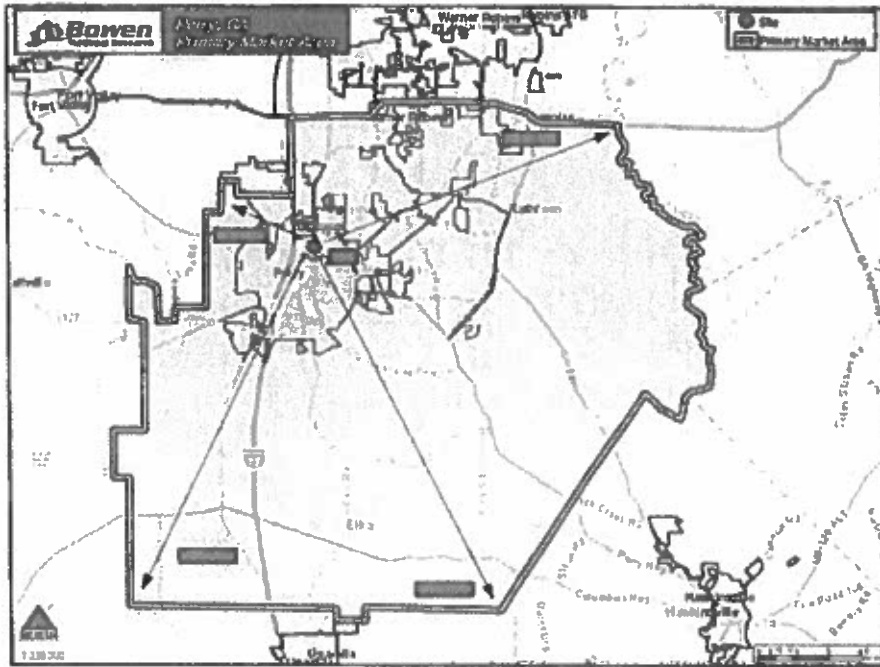
- Per Staff Report adequate Water and Sewer Capacity is available to serve the property.



Public Schools

- Houston County School System currently approximately 30,000 students.
- Per Bowen National Research Market Study dated May 4, 2018 the less than 1% estimated market demand for the rental community will come from Rental Household Growth.
- 99% of the demand will be from existing residents in the Primary Market Area.





Will the use create a health hazard or public nuisance?



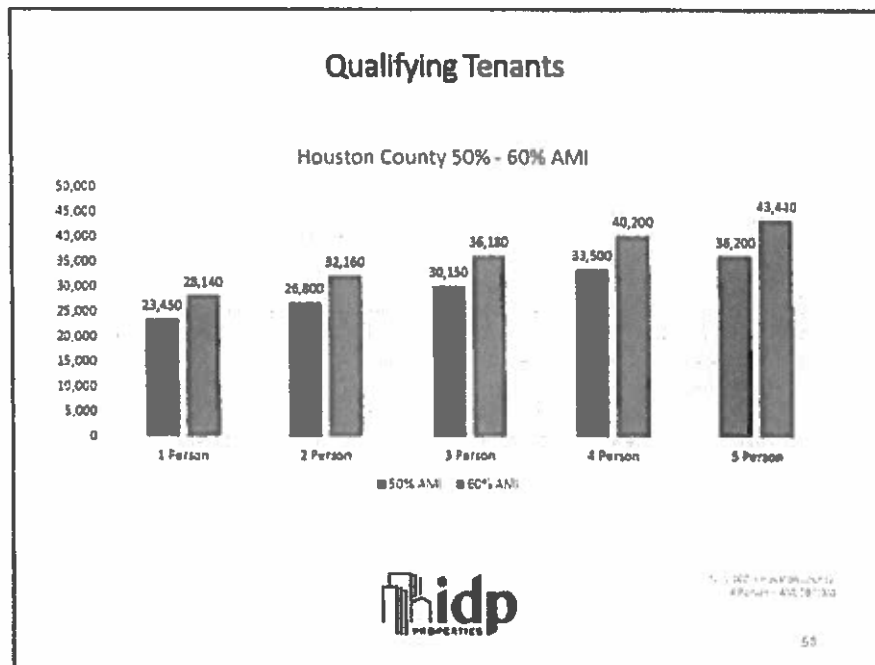
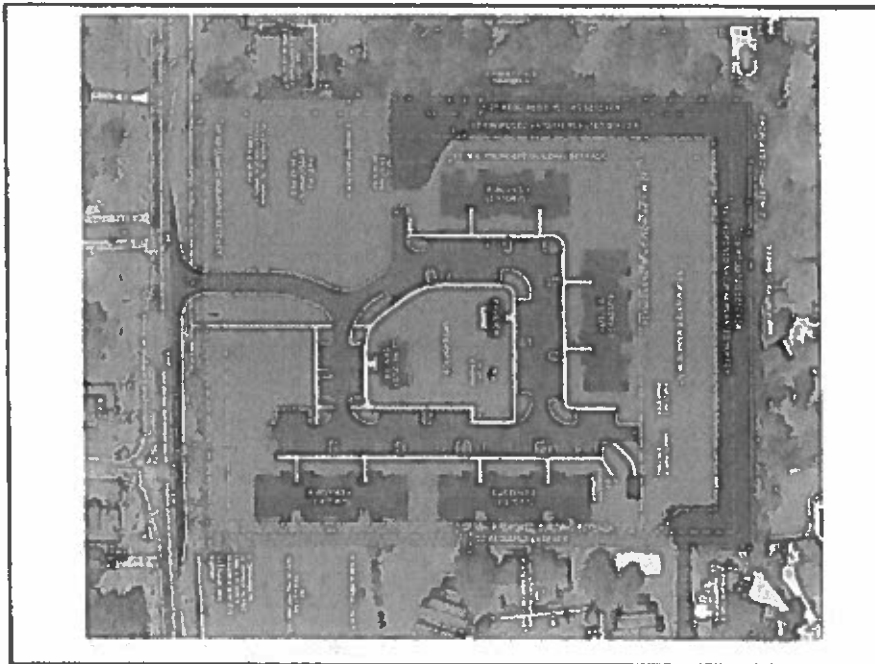
Will property values in adjacent areas be adversely affected?



Similar Developments have had no impact

- Reviewing the Houston County Tax Assessors website no decrease in value was caused by the construction of Oliver Place (most recently completed similar property in the City of Perry)



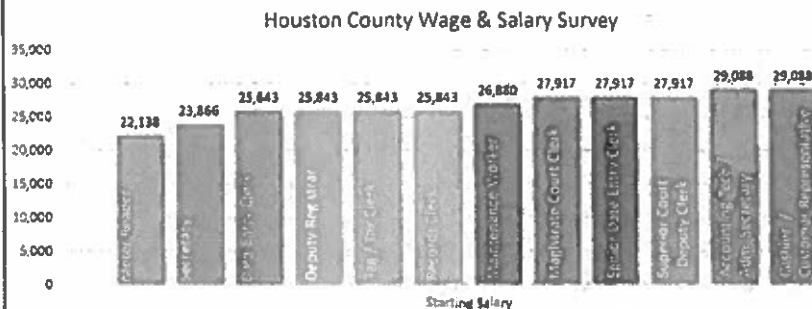


Resident Qualifications

50% of AMI	1 BR	2 BR	3 BR	Total
Unit Sq Ft	775	1,000	1,230	
# of Units	9	4	2	15
Rent Estimate	\$566	\$677	\$781	
Income Range*				
Low	\$20,000	\$24,000	\$28,000	
High	\$26,800	\$33,500	\$38,900	

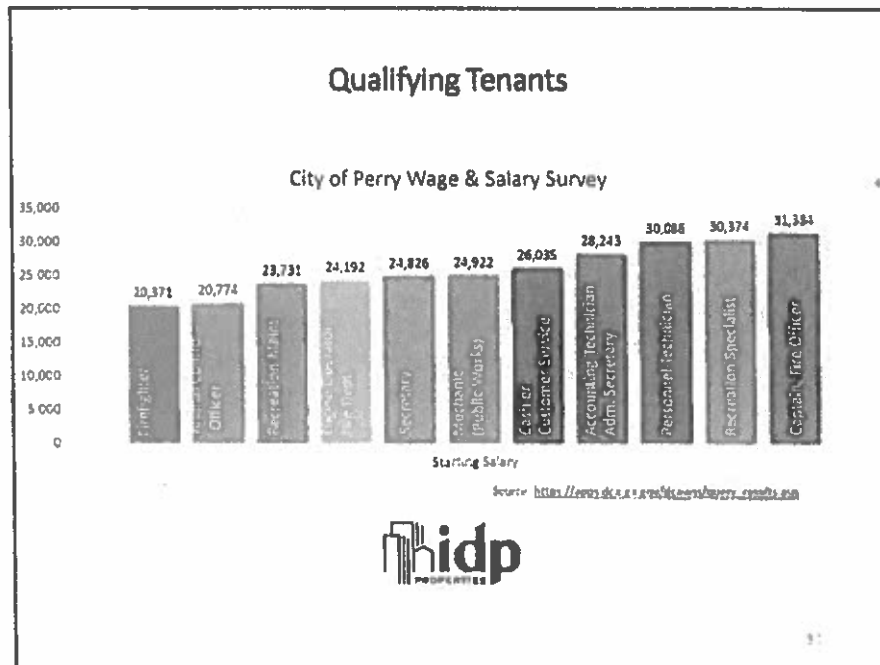
60% of AMI	1 BR	2 BR	3 BR	Total
Unit Sq Ft	775	1,000	1,230	
# of Units	7	28	22	57
Rent Estimate	\$691	\$828	\$955	
Income Range*				
Low	\$25,000	\$30,000	\$34,000	
High	\$32,160	\$40,200	\$46,680	
Total	16	32	24	72

Qualifying Tenants



Source: <https://www.houstoncountytexas.gov/employees/compensation>





Good evening.

My name is Sabrina Pitzer and my husband, and I own Special Blessings Learning Center, located directly across the street from the proposed apartment complex location. We have owned the center for 15 years. In that time, we have spent a significant amount of time, money, blood, sweat and many tears not only maintaining our business, but also improving it. Our business is unique in that we not only provide a much needed service, but we also strive to make a difference in influencing the lives of the youngest members of our community.

I am providing this statement tonight because we are concerned that certain aspects of building this proposed apartment complex will negatively affect not only our business, but our community as well. Our major concern is the increase road traffic.

The last several years have seen a significant increase in the amount of traffic in our location. Due to the fact that the road has not been modified through widening, turning lanes or crosswalks, traffic has become, to put it simply, a nightmare during certain times of the day.

Early mornings and late afternoons are the worst in terms of traffic congestion. Unfortunately, these are the exact times that my parents are trying to access the center. We have at a minimum of 50 families entering/exiting our location daily. Traffic from the morning middle school drop offs can reach a stand still as far as my location. While afternoons are not at a standstill, they are severally congested due to school buses, parents picking kids up and the high school letting out. It can take as much as 15 minutes to enter or leave our property during these times. Needless to say, trying to navigate into or out of this traffic can not only be an annoyance to my parents, but also unsafe.

We have witnessed several accidents in front of our location. Most of these have been due to speeding: and several have included students leaving the High School. Due to the fact that there is no turning lane in front of our location, some of the accidents have been caused by individuals going around the cars waiting to enter our location. As a matter of fact, while surveying the property, one of the workers was almost hit by an individual doing this.

As you know there is a nursing home located across from our location. For many years we have enjoyed being able to take walking field trips with our preschool class to visit the residents there. This has proven extremely beneficial for both our students and the residents. Unfortunately, with the increased traffic, and no cross walks or traffic lights, we can no longer participate in "walking" fieldtrips.

Now with the new construction in the back of Cheshire Place subdivision and this proposed complex, the traffic is expected to increase once again...and with no plans to address the highway congestion issue. There are supposed to be 70+ apartments built in addition to all the new housing in the neighborhood. Most of that housing will be filled with families, the majority of whom work. That means during the already congested early morning and late evening hours, congestion will increase by at least 50% or more. The only access to and from the neighborhood and the apartment complex will be directly in front of my location.

When surveying our parents, the number one issue they have is with the traffic and the inability to easily get in and out of our location. There are 4 major childcare centers within an 8 mile radius of ours. We all have the same prices and basically the same services. When it comes down to a parent being late to work or having to leave extra early with young children just to fight through traffic, they are more than likely going to choose the center that they can easily access.

I know that this location was chosen partly because of the proximity to our center. And while that is great for our business in theory, if parents can't access us, we have no business. If our enrollment declines, we will have no other option than to close, putting a significant number of families in a childcare hardship...not to mention the financial hardship to my own family.

I respectfully ask that before any permits are granted, that the traffic issue be thoroughly investigated, and adequate adjustments be made so that the traffic flows seamlessly and the congestion is illuminated.

Thank you.
Sabrina Pitzer

MINUTES
PRE-COUNCIL MEETING
OF THE PERRY CITY COUNCIL
February 19, 2019
5:00 P.M.

1. Call to Order: Mayor Pro-Tempore Randall Walker, Presiding Officer, called to order the pre-council meeting held February 19, 2019 at 5:00 p.m.

2. Roll:

Elected Officials Present: Mayor James E. Faircloth*, Jr., Mayor Pro-Tempore Randall Walker, Council Members William Jackson, Phyllis Bynum-Grace, Robert Jones and Riley Hunt.

Elected Official(s) Absent: Council Member Willie King

* Mayor Faircloth entered the meeting at 5:06 p.m. and presided over the meeting.

City Staff: Assistant City Manager Robert Smith, Assistant City Attorney Josh Waters, Cyndi Houser, and Recording Clerk Janet Duffin.

City Staff Absent: City Manager Lee Gilmour

Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker - Fire and Emergency Services Department, Brenda King – Director of Administration, Bryan Wood – Director of Community Development, Mitchell Worthington – Assistant Finance Director and Ashley Hardin - Economic Development Director.

Media: Madeline Maynor – Houston Home Journal

3. Items of Review/Discussion: Mayor James E. Faircloth, Jr.

3a. Discussion of February 19, 2019 council meeting agenda.

8a. Service Delivery Amendment. Mr. Wood advised Mr. Greg Boike would be making a presentation stating that housing should be a service added along with grants as a funding proposal to services, as suggested by the Department of Community Affairs.

8b. Amendment to Comprehensive Plan. Mr. Wood advised Mr. Greg Boike would make a recommendation for three modifications to the plan.

10a(1). **Second Reading** of an ordinance for the rezoning of property from M-2, Industrial District, to C-3, Central Business District. The property is located at 905 Jernigan Street; Tax Map No.: 0P0040 002000. Mayor Pro-Tempore Walker clarified that the floor would need to be opened for public comment before a vote could be taken.

12b(1). Bid No. 2019-16 – Duncan Avenue Drainage Improvements:

Mr. Worthington advised three bids were received, ranging from \$32,261.00 to \$54,700.00. Staff recommends bid be awarded to low bidder LeClay Construction, Inc. in the amount of \$32,261.00.

Mr. Smith reminded Council this bid was for the purpose of repairing erosion in the roadway.

- 3b. Traffic Control proposal: Mr. Smith recommended making the intersection of Kings Chapel Road and Keith Drive a four-way stop for safety reasons. Also being recommended is the addition of rumble strips leading up to the intersection. Per Mayor Faircloth, this item will be placed on the agenda for the next council meeting.

4. Council Member Items:

Council Members Bynum Grace, Jackson, Jones, and Hunt had no reports.

Mayor Pro-Tempore Walker advised the Georgia Municipal Association has asked the City to consider a resolution in opposition of House Bill 302. The resolution has been sent to Mr. Wood and the City Attorney for review. This bill will limit our ability to regulate the design of single-family homes. Mayor Pro-Tempore recommends bringing this up as a resolution at the next scheduled meeting and will send out to Council Members for their review.

Assistant City Manager Smith and Assistant City Attorney Josh Waters had no report.

5. Department Head/Staff Items:

Ms. King, Mr. Worthington, Chief Parker and Chief Lynn had no reports.

Mr. Wood

- Advised he, Mayor Pro-Tempore Walker, Mr. Smith and Mr. Hicks joined the Houston County Land Bank Board at a training session in Macon Friday morning. They came back with a lot of good information that will help address issues they have had in the past.

Ms. Hardin

- Advised the next “Meet Up and Talk” event will be held Thursday night at 6:00 pm. at City Hall in Council Chambers. Council Member Jones will give the welcome and Mr. Smith will give a presentation.

Ms. Houser

- Invited Mayor and Council to try out a new microphone system tonight that is being considered for purchase. Ms. Houser stated this may be a viable system to carry over to the new city hall.

6. Adjourn. There being no further business to come before Council in the pre-council meeting held February 19, 2019 Council Member Jones motioned to adjourn the

meeting at 5:20 p.m.; Council Member Hunt seconded the motion and it carried unanimously.

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
February 19, 2019
6:00 P.M.

1. Call to Order: James E. Faircloth, Jr., Presiding Officer, called to order the regular meeting of the Perry City Council held February 19, 2019 at 6:00 p.m.

2. Roll.

Elected Officials Present: Mayor James E. Faircloth, Jr.; Mayor Pro-Tempore Randall Walker; Council Members William Jackson, Phyllis Bynum-Grace, Riley Hunt and Robert Jones.

Elected Official(s) Absent: Council Member Willie King

City Staff: Assistant City Manager Robert Smith, Assistant City Attorney Josh Waters, Cyndi Houser, and Recording Clerk Janet Duffin.

City Staff Absent: City Manager Lee Gilmour

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Bryan Wood – Director of Community Development, Robert Smith – Assistant City Manager, Brenda King – Director of Administration, Mitchell Worthington – Assistant Finance Director, and Ashley Hardin – Economic Development Director.

Guest(s): Mr. Greg Boike, Middle Georgia Regional Commission

Media: Madeline Maynor- Houston Home Journal

3. Invocation and Pledge of Allegiance to the Flag:

Council Member Jones rendered the invocation and Council Member Hunt led the pledge of allegiance to the flag.

4. Recognition(s)/Presentation(s): Mayor James E. Faircloth, Jr.

4a. Introduction of new employees: Douglas Kennedy, Kyle Newsome, Ryan Carroll, J. Riley Locke, and Samuel Ansley – Chief L. Parker.

Chief Parker introduced new employees from the Fire Department. Mayor Faircloth welcomed and congratulated them on their new positions.

4b. Introduction of Haley Myers, Main Street Coordinator – Ms. A. Hardin.

Ms. Hardin introduced Ms. Haley Myers as the new Main Street Coordinator.

Mayor Faircloth congratulated her on her new role.

5. Appointments to Boards/Commissions/Authorities:

5a. Appointment to the Perry Housing Board

Mayor Faircloth advised a letter was received from Mr. Chris Kinna, Perry Housing Authority, requesting the re-appointment of Mr. Ed Beckham as a Board Commissioner for an additional five-year term.

Council Member Bynum-Grace motioned to accept the appointment;
Council Member Jones seconded the motion and it carried unanimously.

5b. Appointment to Main Street Advisory Board

Mayor Faircloth advised a letter was received from Ms. Haley Myers, Main Street Coordinator, stating there has been a vacancy for the Downtown business owner on their board for several months. The Board is recommending Ms. Ms. Amanda Fiebig, a realtor with Golden Key Realty and a downtown property owner, to fill this vacancy.

Council Member Jackson motioned to accept the appointment;
Council Member Jones seconded the motion and it carried unanimously.

6. Community Partner(s) Update(s):

6a. Ms. Allison Hamsley – Perry Area Convention and Visitors Bureau

Ms. Hamsley presented the 2019 “Explore Georgia Travel Guide” and advised the Convention and Visitors Bureau represents Perry in the publication. Ms. Hamsley also reviewed the 2017 Travel Economic Impact report put out by the Department of Economic Development. She then extended an invitation to everyone to a tourism development team presentation next Tuesday evening at the Perry Arts Center. Lastly, Ms. Hamsley advised there is a new 2019 Special Events Calendar in the form of a magnet. The goal is to distribute the magnet to as many citizens as possible to garner interest in upcoming events.

7. Citizens with Input:

None

8. PUBLIC HEARING CALLED TO ORDER AT 6:24 P.M. Mayor James E. Faircloth, Jr. called to order a public hearing at 6:24 p.m. to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-67A-3 (c).

8a. Service Delivery Strategy amendment – Mr. B. Wood.

Mr. Boike, Middle Georgia Regional Commission, advised the Service

Delivery Strategy amendment is due to a change in regulations from the Georgia Department of Community Affairs where they require adding housing and grants as a funding proposal, which would require Council's approval.

Mayor Faircloth called for any public input for or against this amendment.

For: None

Opposed: None

8b. Amendment to the Comprehensive Plan – Mr. B. Wood.

Mr. Boike reviewed the need to add the following ongoing projects to include updates to the urban re-development plan, master plan refresh for downtown core area, as well as adding mention of the parking study that was recently completed.

Mayor Faircloth called for any public input for or against this amendment.

For: None

Against: None

Public Hearing closed at 6:31 p.m. Mayor James E. Faircloth, Jr. closed the public hearing at 6:31 p.m.

9. Review of Minutes: Mayor James E. Faircloth, Jr.

9a. Council's Consideration – Minutes of the February 4, 2019 work session, February 5, 2019 pre council meeting and February 5, 2019 council meeting.

Council Member Jackson motioned to accept the minutes as submitted; Council Member Hunt seconded the motion and it carried with Council Member Bynum-Grace abstaining.

10. Old Business: Mayor James E. Faircloth, Jr.

10a. Ordinance(s) for Second Reading(s) and Adoption:

1. **Second Reading** of an ordinance for the rezoning of property from M-2, Industrial District, to C-3, Central Business District. The property is located at 905 Jernigan Street; Tax Map No.: 0P0040 002000 – Mr. B. Wood.

Adopted Ordinance 2019-04 rezoning property from M-2, Industrial District, to C-3, Central Business District. The property is located at 905 Jernigan Street; Tax Map No.: 0P0040 002000. Council Member Jones motioned to adopt the ordinance as submitted; Mayor Pro-Tempore Walker seconded the motion and it carried unanimously. *(Ordinance No. 2019-04 has been entered*

into the City's official book of record).

11. Any Other Old Business: Mayor James E. Faircloth, Jr.

- 11a. Mayor James E. Faircloth, Jr. – none
- 11b. Council Members – none
- 11c. City Manager, Lee Gilmour – absent
- 11d. Assistant City Manager, Robert Smith – none
- 11e. City Attorney – none

12. New Business: Mayor James E. Faircloth, Jr.

12a. Matters referred from February 19, 2019 pre council meeting. None

12b. Award of Bid(s):

- 1. Bid No. 2019-16 Duncan Avenue Drainage Imps. –
Mr. M. Worthington

Mr. Worthington presented for Council's consideration an award of bid for Duncan Avenue drainage improvements. Staff recommended awarding to low bidder LeClay Construction in the amount of \$32,261.00. Mayor Pro-Tempore Walker motioned to accept staff's recommendation to award Bid No. 2019-16 to LeClay Construction in the amount of \$32,261.00. Council Member Jones seconded the motion and it carried unanimously.

12c. Resolution(s) for Consideration and Adoption:

- 1. Resolution updating Houston County Service Delivery Strategy –
Mr. B. Wood.

Adopted Resolution No. 2019-06 updating Houston County Delivery Service Strategy. Council Member Bynum-Grace motioned to adopt as submitted. Council Member Jones seconded the motion and it carried unanimously. *(Resolution No. 2019-06 has been entered into the City's official book of record).*

- 2. Resolution adopting a Comprehensive Plan – Mr. B. Wood.

Adopted Resolution No. 2019-07 Comprehensive Plan Update. Council Member Jackson motioned to adopt as submitted. Council Member Jones seconded the motion and it carried unanimously. *(Resolution No. 2019-07 has been entered into the City's official book of record).*

- 3. Resolution appealing the moratorium on "tiny houses" – Mr. R. Smith.

Adopted Resolution No. 2019-08 repealing the moratorium on "tiny houses". Council Member Jones motioned to adopt as submitted.

Council Member Hunt seconded the motion and it carried unanimously.
(Resolution No. 2019-08 has been entered into the City's official book of record).

- 12d. Approval of intergovernmental agreement between City of Perry, Houston County Board of Elections and Houston County Board of Commissioners for operation of 2019 Municipal Election – Mr. R. Smith.

Mayor Pro-Tempore Walker motioned to approve agreement as presented.
Council Member Jones seconded the motion and it carried unanimously.

13. Council Member Items:

Council had no reports.

Assistant City Manager Smith and Assistant City Attorney Waters had no reports.

14. Department Heads/Staff Items:

Ms. King, Mr. Wood, Ms. Myers, Mr. Worthington, Chief Lynn, Chief Parker and Ms. Hardin had no reports.

Ms. Palmer reminded everyone of the Public Forum to be held on Thursday, February 21st at 6:00 p.m. regarding the new city park off Country Club Road.

15. General Public Items:

None

16. Mayor Items:

- March 4th, Work Session
- March 5th, Pre Council and Council

17. Adjournment: There being no further business to come before Council in the regular council meeting held February 19, 2019, Council Member Bynum Grace motioned to adjourn the meeting at 6:33 p.m. Council Member Hunt seconded the motion and it carried unanimously.

(Above space for recording officer use.)

Due & Return: Josh Waters
File No.
Walker, Hulbert, Gray & Moore, LLP
909 Ball Street * P.O. Box 1770
Perry, Georgia 31069

LIGHTING EASEMENT

GEORGIA, HOUSTON COUNTY
KNOW ALL MEN BY THESE PRESENTS;

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, DEODORA INC, hereinafter referred to as Grantor, has and does hereby grant, warrant, bargain, sell transfer, and convey unto the CITY OF PERRY, GEORGIA, hereinafter referred to as Grantee, its successors and assigns, the property described below along with the right to erect, construct, install, replace and remove a lighting easement as is necessary to construct and maintain and improve a lighting system, such other facilities as may be necessary for the CITY OF PERRY, GEORGIA, over, across, and through the land of the Grantor situated in Houston County, State of Georgia, said land being described as follows:

All that tract or parcel of land, lying and being in Land Lot 49 of the Tenth Land District, Houston County, Georgia, known and designated as Parcel "A", comprising 14,505 square feet, as shown on a plat of survey designated, "Survey for Wilbur King" prepared by Richard L. Jones, Surveyor, on July 3 1986, revised May 9, 1988, a copy of said plat being of record in Map Book 35, Page 48, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

The above described property is subject to a nonexclusive easement twenty feet in width across the rear or northerly portion of said tract as shown on the aforesaid recorded plat of survey. Said easement is for ingress and egress from Washington Street to Parcel "B" as shown on aforesaid recorded plat of survey.

The easement conveyed hereby is a portion of the above described property being more specifically described as follows:

Commence at an iron pin found at the intersection of the Southwest right of way of Washington Street and the Northeast right of way of Carroll Street as shown on a survey for Wilbur King prepared by Richard L. Jones, surveyor, on July 3, 1986 revised May 9, 1988 a copy of said plat being of record in Map Book 35 Page 48 Clerk's Office Houston Superior Court, from said iron pin thence running S65°58'38"W for 108.10 feet to an iron pin said pin being the point of beginning. From said point of beginning running N23°40'06"W for 134.67 feet to an iron pin, thence running N65°58'38"E for a distance of 3 feet, thence running S23°40'06"E a distance of 134.67 feet to the Northeast right of way of Carroll Street, thence running along the Northeast right of way of Carroll Street S65°58'38"W for a distance of 3 feet to the point of beginning.

together with the right of ingress and egress over the adjacent lands of Grantor, his legal representatives, successors and assigns, for the purpose of this easement.

The consideration hereinabove recited shall constitute payment in full for all damages to the land of Grantor, his legal representatives, successors and assigns, by reason of the installation, operation, and maintenance of the structures or improvements referred to herein.

The Grantee covenants to maintain the easement in good repair and efficiency so that

no unreasonable damage will result from its use to the adjacent land of Grantor, his legal representatives, successors and assigns.

The Grantor covenants that grantor is the owner of the above described lands.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns.

The term "Grantor" as used in this instrument shall mean the singular and plural and shall encompass all owners of the land as described herein.

IN WITNESS WHEREOF, the Grantors has set his hand and affixed his seal this _____ day of _____, 20____.

DEODARA, INC

By: _____
Managing Member

(LLC SEAL)

Signed, sealed and delivered the day and year first above written in the presence of:

Witness

Notary Public



Where Georgia comes together.

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: Perry Public Facilities Authority Members
FROM: Lee Gilmour, City Manager
DATE: February 13, 2019
RE: City financing of debt

Some of you may be questioned as to how the City plans to fund the Authority's debt services. To assist in answering these inquiries, attached is a financial data sheet showing City revenue streams that support the current and requested authority revenue bonds.

When reviewing:

1. The property tax increases are not the result of massive reappraisal or millage rate increases.
2. Real/personal property tax levies for fiscal year 2019 totaled \$6,774,492. A 6.52% increase over the fiscal year 2018 collection of \$6,359,577.
3. Water/sewer and gas income will fluctuate from year to year based on demand.
4. The unrestricted cash balance for the supporting funds for December 2018 are:

General Fund	\$5,703,701
Water and Sewerage System Revenue Fund	2,780,769
Gas System Revenue Fund	1,296,428

City of Perry
Debt Service Financial Data

Fiscal Year	2015	2016	2017	2018	Avg
	General Fund				
Property Taxes					
Amount	\$6,084,424	\$6,239,964	\$6,484,237	\$6,847,010	
Annual Increase	-	155,540	244,273	362,773	
Percent	-	2.56%	3.91%	5.59%	4.02%
Millage rate	14.05	14.05	14.05	14.05	
Franchise Taxes					
Amount	\$1,141,137	\$1,130,971	\$1,154,175	\$1,334,396	
Annual Increase	-	(10,166)	23,204	180,221	
Percentage	-	-0.89%	2.05%	10.61%	5.59%
Insurance Premium Tax					
Amount	\$ 745,900	\$ 796,833	\$ 860,753	\$ 916,829	
Annual Increase	\$ -	\$ 50,933	\$ 63,920	\$ 56,076	
Percentage	-	6.85%	8.02%	6.51%	7.12%
	Water and Sewerage System Revenue Fund				
Charge for Service					
Amount	\$6,070,764	\$6,415,835	\$7,050,580	\$7,069,936	
Annual Increase	-	345,071	634,745	19,356	
Percentage	-	5.68%	9.89%	0.27%	5.28%
	Gas System Revenue Fund				
Charge for Services					
Amount	\$3,788,425	\$3,608,135	\$4,219,702	\$4,774,617	
Annual Increase	-	(180,320)	611,567	554,915	
Percentage	-	-4.76%	16.95%	13.15%	8.45%

A RESOLUTION OF THE CITY OF PERRY, GEORGIA (THE "CITY"), AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL CONTRACT BETWEEN THE CITY AND THE PERRY PUBLIC FACILITIES AUTHORITY (THE "AUTHORITY") TO SECURE PAYMENT OF THE AUTHORITY'S REVENUE BONDS, SERIES 2019, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$_____, FOR THE PURPOSE OF PROVIDING FUNDS FOR (I) A HIGH-PRESSURE GAS MAIN EXTENSION, (II) ADDITIONS AND IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF THE CITY, (III) PARKS AND RECREATION IMPROVEMENTS FOR THE CITY, AND (IV) ACQUISITION OF NEW CITY PROPERTY; AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT RELATING TO SUCH BONDS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Perry, Georgia (the "City"), has requested that the Perry Public Facilities Authority (the "Authority") issue its PERRY PUBLIC FACILITIES AUTHORITY REVENUE BONDS (CITY OF PERRY PROJECTS), SERIES 2019 (the "Series 2019 Bonds") to provide financing for (i) a high-pressure gas main extension, (ii) additions and improvements to the water and sewer system of the City, (iii) parks and recreation improvements for the City, and (iv) acquisition of property for new City Hall; and

WHEREAS, the Series 2019 Bonds will be secured under the provisions of an intergovernmental contract (the "Intergovernmental Contract") between the Authority and the City, pursuant to which the City will agree to pay amounts sufficient to pay the principal of and interest on the Series 2019 Bonds, together with any fees or charges in connection therewith, and pursuant to which the Authority may pledge for the payment of the Series 2019 Bonds all contractual payments to be derived from the Intergovernmental Contract, together with such other funds or proceeds as may be established by the Bond Resolution (hereinafter defined) and the Intergovernmental Contract; and

WHEREAS, as of _____, 2019, the Authority adopted a bond resolution (the "Bond Resolution"), which authorizes the issuance of the Series 2019 Bonds and the final principal amounts, maturities, interest rates, and redemption provisions of the Bonds; and

WHEREAS, the Authority and the City have negotiated the sale of the Series 2019 Bonds to Raymond James & Associates, Inc., Atlanta, Georgia, (the "Underwriter"), in accordance with the provisions of a Bond Purchase Agreement (the "Bond Purchase Agreement"), the execution of which must be authorized by the City; and

WHEREAS, in order to enhance the marketability of the Bonds, it is necessary that the City allocate to the Authority a portion of the City's \$_____ qualified small issuer exemption under § 265(b)(3) of the Internal Revenue Code, as amended; and

WHEREAS, it is proper that the City approve (i) the Bond Purchase Agreement, (ii) the Bond Resolution, and (iii) the Intergovernmental Contract.

NOW, THEREFORE, BE IT RESOLVED by the City of Perry, Georgia, as follows:

1. The City hereby approves the Bond Purchase Agreement, a copy of which has been presented to the City at this meeting and considered by the City and which is on file and of record with the City Clerk. The Mayor is authorized to execute and deliver the Bond Purchase Agreement.

2. The Bond Resolution, which is on file and of record with the City Clerk, has been considered by the City, and the issuance of the Bonds in the principal amounts, in the principal maturities, at the interest rates, and the redemption provisions contained therein is hereby approved in all respects.

3. Prior to the execution of the Intergovernmental Contract and such closing papers or other documents relating to the Bonds, the Mayor of the City, with the advice of the City Attorney, may approve any exhibits thereto and such other changes or additions as may be necessary and desirable in such officer's discretion to effect the purposes of this resolution, and the execution of said contract and such closing papers or other documents by the Mayor shall be conclusive evidence of such approval to provide for the issuance of the Series 2019 Bonds in accordance with the Bond Resolution and to fulfill the obligations of the City pursuant to the Intergovernmental Contract.

4. The City, pursuant to § 265(b)(3) of the Internal Revenue Code, as amended (the "Code"), does hereby irrevocably allocate to the Authority such amount of the City's \$ _____ qualified small issuer exemption under § 265(b)(3) of the Code as equals the aggregate par amount of the Bonds when issued; provided, however, said allocation shall only be applied to obligations which qualify as "qualified tax-exempt obligations" pursuant to § 265(b)(3) of the Code. This allocation is for and in consideration of the benefits the City is to be received pursuant to the Intergovernmental Contract. The City hereby certifies that the reasonably anticipated amount of qualified tax-exempt obligations which it will issue during calendar year 2019 will not exceed \$10,000,000.

5. The City Clerk is authorized and directed to furnish a certified copy of this resolution to the Authority with the request that it proceed with such actions as are necessary to issue the Bonds at the earliest possible time.

APPROVED AND ADOPTED this _____, 2019.

CITY OF PERRY, GEORGIA

(S E A L)

By: _____
Mayor

Attest: _____
City Clerk

CLERK'S CERTIFICATE

I, the undersigned Clerk of the City of Perry, Georgia (the "City"), keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of a resolution approved and adopted by majority vote of the Mayor and Council of the City in public meeting assembled on _____, 2019, the original of which resolution has been entered in the official records of said political subdivision under my supervision and is in my official possession, custody, and control.

I further certify that the meeting was held in conformity with the requirements of Title 50, Chapter 14 of the Official Code of Georgia Annotated.

(S E A L)

City Clerk

MUTUAL AID AGREEMENT

THIS AGREEMENT, made this ____ day of _____, 2019, is by and between THE MAYOR AND COUNCIL OF THE CITY OF PERRY on behalf of the City of Perry (hereinafter "City") and THE BOARD OF COMMISSIONERS OF HOUSTON COUNTY on behalf of Houston County, Georgia (hereinafter "County").

WITNESSETH: That,

WHEREAS, the City and the County recognize an increasing possibility of the occurrence of emergencies or disasters resulting from manmade or natural causes or enemy attack; in order to ensure that preparation and response will be adequate to deal with such emergencies and protect the public peace, health, and safety; and to preserve lives and property, it is found and declared to be necessary that both parties enter into this Agreement to provide mutual aid:

NOW, THEREFORE, in consideration of the promises, covenants, agreements and stipulations herein set forth and other good and valuable consideration, the parties do hereby agree as follows:

- (1) It is the express intent of the parties in executing this Agreement that mutual assistance is to provide assistance only in the event of a genuine major disaster or in those unusual circumstances where it is determined that loss of life is imminent.
- (2) The parties agree that it is not the intent of this Agreement to provide routine law enforcement, firefighting, and emergency management support; nor is it the intent of the parties to augment the level of law enforcement, firefighting, and emergency management support beyond the level currently provided by the requesting political subdivision.
- (3) The City upon request of the County and the County upon request of the City shall respond with available law enforcement, firefighting and emergency management equipment, personnel and/or resources when the requesting party determines that management, containment, or control of the disaster or incident is beyond the capacity of the requesting entity.
- (4) Any request for aid shall include a statement of the amount and type of equipment and number of personnel requested and shall specify the location to which the equipment and personnel are to be dispatched, but actual response shall be determined by the responding organization. The request for support must come from the Senior Law Enforcement, Firefighting, or Emergency Management Official available.

- (5) The responding organization shall report to the officer in charge of the requesting organization and shall be subject to the lawful orders of that official until properly relieved.
- (6) When deciding whether to send the resources of one organization to assist the other, the needs of the areas normally served by the responding organization shall be taken into consideration.
- (7) Each party waives all claims against the other for any loss, damage, personal injury, or death occurring as a consequence of the performance of this Agreement.
- (8) Neither party shall be reimbursed by the other party for any costs incurred pursuant to this Agreement.
- (9) All equipment or apparatus used by a responding organization in carrying out this agreement will, at the time of the action hereunder, be owned by the responding organization and the personnel responding shall retain such status as employees of the responding organization.
- (10) If the Sheriff of Houston County or other recognized official requests law enforcement assistance from the Perry Police Department, then the County agrees that any responding law enforcement officers shall be deemed to be duly deputized and shall have appropriate jurisdictional authority to render such law enforcement assistance as requested by the County, to include, but not be limited to, the powers of arrest to the same extent as that authority possessed by officers employed by the County; conversely, if the Chief of Police of the City of Perry or other recognized official requests law enforcement assistance from the Houston County Sheriff's Department, then the City agrees that any responding law enforcement officers shall be deemed to be duly deputized and shall have appropriate jurisdictional authority to render such law enforcement assistance as requested by the City, to include, but not be limited to, the powers of arrest to the same extent as that authority possessed by officers employed by the City. Such implied authority is limited to specific emergency, disaster, or like situations when assistance of this type is specifically requested by the respective cities. Upon release of the responding officers, such extraordinary powers shall terminate.
- (11) The responding party shall have all of the privileges and immunities from liability; exemption from laws, ordinances, and rules; and all pension, insurance, relief, disability, workers' compensation, salary, death, and other benefits which apply to the activity of its officers, agents or employees

when performing their respective functions outside of the territorial limits of their political subdivision.

- (12) Neither requesting party nor political subdivision in which requesting party is located shall be liable for any acts or omissions of employees of the responding agency rendering assistance.
- (13) The provisions of this Agreement shall not be construed as creating a duty to respond to requests from either party. Likewise, the provisions of this Agreement shall not be construed as creating a duty to stay at the scene of the emergency for any length of time. Responding party may depart the scene at any time at the discretion of the officer in command.
- (14) This Agreement shall remain in force until _____, 2021. Subsequent Agreements may be made for periods not to exceed two (2) years upon the approval of the City and the County. Either party may terminate this Agreement with thirty (30) days written notice to the other. This Agreement may be altered or modified by amendment thereto provided there is a mutual agreement of all parties in privity hereto.

CITY OF PERRY, GEORGIA

BY: _____
JAMES FAIRCLOTH JR., MAYOR

ATTEST:

R. LEE GILMOUR, CITY MANAGER

BOARD OF COMMISSIONERS
OF HOUSTON COUNTY

BY: _____
TOMMY STALNAKER, CHAIRMAN

ATTEST:

BARRY HOLLAND, DIRECTOR OF
ADMINISTRATION